Neoliberalism and Rural Exclusion in South Africa:

Xolobeni Case Study

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COMPULSORY DECLARATION

This work has not been previously submitted in whole, or in part, for the award of any degree. It is my own work. Each significant contribution to, and quotation in, this dissertation from the work, or works, of other people has been attributed, and has been cited and referenced.

Signature: Signed by candidate Date: 02 March 2021

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List of Abbreviations

ACC	Amadiba Crisis Committee
ANC	African National Congress
DME	Department of Mineral Resources and Energy
EFF	Economic Freedom Fighters
FDI	Foreign direct investment
GDP	Gross Domestic Product
GEAR	Growth, Employment, and Redistribution plan
IPILRA	Interim Protection of Informal Land Rights Act
LARC	Land & Accountability Research Centre
MPRDA	Minerals and Petroleum Resources Development Act
MRC	Mineral Commodities
NEPAD	New Partnership for Africa's Development
RDP	Reconstruction and Development Programme
SABC	South African Broadcasting Corporation
TEM	Transworld Energy and Mineral Resources
Xolco	Xolobeni Community Empowerment Company

Abstract

This study investigates the exclusion of rural communities from the postcolonial South African nation state as a result of the neoliberal agenda of the democratic government. This is a qualitative study that was conducted using a desktop analysis of literature and information on the case of the rural Xolobeni community and their resistance to mining. The secondary sources analysed included books, journal articles, news articles and online court documents. The study was also guided by the postcolonial concepts of the nation state and neoliberalism, which have both contributed to the conceptualisation of citizenship in the postcolonial world. The study found that economic growth-centred development in South Africa is often at the expense of those living in the poor communities of the country, such as in the rural areas (Capps & Mnwana, 2015; Kunnie, 2000). Rural communities, such as the former Bantustans, are often stripped of their land rights and livelihood strategies without their consent, at the hands of the democratic government of South Africa under the guise of development. This study argues that this is an injustice that results in the exclusion of rural communities from the postcolonial nation state. This exclusion is not only undemocratic – it resembles the oppression of these communities that characterised apartheid in South Africa.

Key words: Exclusion, Nation State, Citizenship, Neoliberalism, Globalisation, Governance, Marginalisation.

Chapter One: The study in context

1.1 Introduction and contextual background

> "While most human beings still live as citizens in nation-states, they tend only to be conditionally, partially, and situationally citizens of nation-states" (Comaroff & Comaroff, 2001:634)

The authors cited above discuss the realities in postcolonial African states as caused by neoliberal capitalism and globalisation. Their argument is echoed by many other authors, who note the way in which competition and conflict over resources lead to the exclusion of others from the citizenry of contemporary postcolonial Africa (Boone, 2014; Kachim, 2020; Kalabamu, 2019). Authors even in other parts of the world have written about exclusions and human rights issues related to citizenship in the postcolonial context (Lund, 2016). The exclusion of some groups from the citizenry of a nation state as a result of neoliberalism and globalisation also exists in South Africa, as the government often denies the rural communities in the former Bantustans the political, economic and social rights afforded to all other citizens of the country by the Constitution that was enacted after the transition to democracy (Republic of South Africa (RSA), 1996). This is done by displacing them from their land, sometimes without their consent, and stripping them of their livelihoods and their cultural connections to land.

This study uses the case of Xolobeni resistance to a mining development to analyse how the modern nation state of South Africa excludes rural communities by denying them the political, economic and social rights afforded to all citizens by the Constitution. Xolobeni is a rural area in Mbizana, Eastern Cape, where an Australian mining corporation called Mineral Commodities (MRC) applied to the Department of Mineral Resources and Energy (DME) in Port Elizabeth for mining rights in 2000 (De Wet, 2011; Huizenga, 2019; Matebesi, 2020). The corporation proposed to mine a 22 km by 1.5 km stretch of the Xolobeni coastline for an estimated 22 years (Ledwaba, 2019). This request for mining rights took place through their South African subsidiary, Transworld Energy and Mineral Resources (TEM) (Bennie, 2011; De Wet, 2011; Ledwaba, 2019). The project was supported by the National DME, the Eastern Cape DME and a small Black Economic Empowerment company called Xolobeni Community Empowerment Company (Xolco), which also has connections to MRC and TEM (Mckinley,

2020; Ledwaba, 2019). De Wet (2011:262) notes that in May 2005 and again in 2008 the Eastern Cape DME granted TEM provisional rights to conduct mining activities.

The proposed mining project was to extract ilmenite, titanium-iron oxide mineral, as well as rutile, zircon and leucoxene in the area between the Mzamba and Mtentu Rivers, along the east coast of South Africa (Environmental Justice Organisations, Liabilities and Trade (ejolt), 2015). This area is home to five villages, including Sigidi, Mdatya, Mtulana, Kwanyana and Mthentu, and some 200 homes in the collective Amadiba area known as Umgungundlovu (Dludla, 2019a). The area granted to TEM by the DME started at the Kwanyane block, representing approximately 30% of the original area applied for, and extended to a third of the whole area (ibid). In a *Mining Weekly* news article, Van der Merwe (2008) writes that this block had the largest measure of mineral resources in all the blocks in Xolobeni, containing about "139-million tons of heavy titanium producing minerals, including ilmenite, zircon, leucoxene, and rutile".

This mining proposal was opposed by some members of the Xolobeni community. These members formed the Amadiba Crisis Committee (ACC), led by Nonhle Mbuthuma and Sikhosiphi 'Bazooka' Radebe, with their main cause being to protect and voice their interests (De Wet, 2011; Huizenga, 2019; Matebesi, 2020; Reid & Mckinley, 2020; Mahlatsi, 2018). The ACC's opposition was based on the argument that the mining project would interfere with the community-based tourism business (De Wet, 2011; Rogerson & Visser, 2020). In particular, the committee was founded to address four major issues: "the lack of consultation about development strategies, communal land rights, threats to livelihood strategies and the lack of legitimacy of those who ostensibly represent the community" (De Wet, 2011:263). Above and beyond this, the Xolobeni community also had support from organisations such as GroundUp and the Human Rights Watch, and human rights lawyers like Richard Spoor. Members of the ACC were in resistance against the South African DME as well as Xolco members who claim to support the mining project for the prospects that it has to benefit the community (Ledwaba, 2019; Mahlatsi, 2018; Bond, 2016; De Wet, 2011).

However, there were other Xolobeni residents who supported the mining proposal. Some of these residents founded Xolobeni Youth for Sustainable Development, a non-profit organisation led by young Xolobeni residents to support the mining development (Dludla, 2019b; Phillan, 2019).

Washinyira (2016) of the groundup organisation reported that the man leading the push for mining, Zamile Qunya, claimed that most Xolobeni residents supported the mining project, but were restricted from expressing themselves out of fear of going against the mobs that had formed against it. According to Qunya, the development from the mining would meet great needs for the Amadiba community:

> … there is no running water, no transport, schools or clinics. People there are not yet civilised. They still follow old traditions like polygamy. People are dying from diseases; they have no information. If our people are not educated there will be no change. (ibid)

He also criticised the ACC, suggesting that they are confusing the community about the impact of mining for the sake of securing more funding from supporters and investors (Washinyira, 2016).

This situation regarding resistance in Xolobeni was not the first of its kind in the Mpondo area where Xolobeni is located. There is literature on the marginalisation of the Mpondo community that resulted in the Mpondo Revolt of 1960 (Helliker & van der Walt, 2019; Kepe & Ntsebeza, 2011; Ntsebeza & Hall, 2007; Bruchhausen, 2016). There is also some literature on the events that led to the mining resistance in Xolobeni that lasted over 15 years (such as Matebesi, 2020; Pieterse, 2011; De Wet, 2011). Other scholars such as Mahlatsi (2018) even relate the two incidences, describing how the Mpondo revolt influenced the Xolobeni resistance among other uprisings.

However, there is limited literature linking the Mpondo Revolt and Xolobeni resistance that investigates the continued exclusion of rural communities from the South African nation state as a result of the neoliberal model of governance adopted by the democratic government. Therefore, using a case study research design and a qualitative approach, this study seeks to explore the connections between neoliberalism and the exclusion of the Xolobeni community, to expose the violation of social, economic and political rights that is the foundation of the Xolobeni resistance. The geographic, cultural and socioeconomic similarities between Xolobeni and other rural communities, particularly former Bantustans, will make the findings of this study relevant to the struggles of other similar rural communities.

The Xolobeni resistance is the most appropriate case for this study because, as indicated above, Xolobeni is in the Mpondo area where the historical uprising of the rural peasantry against

implementation of the Bantu Authorities Act and 'betterment' schemes (Kepe & Ntsebeza, 2011:1) took place in 1960. Both the Bantu Authorities Act and the betterment schemes were part of the apartheid government's strategy of rural development (Kepe & Ntsebeza, 2011). However, in practice they were oppressive to the livelihoods of rural dwellers, in that the schemes resulted in a loss of land, overcrowding and a loss of livestock. The Bantu Authorities Act also gave unchecked power to allegedly corrupt chiefs, who could act 'on behalf' of the community without consulting them (Kepe & Ntsebeza, 2011). Similarly, in Xolobeni the government proposed a mining project for rural development. The development has been rejected by the majority of residents in the community, because if it continued they stood to lose their land and possibly their ecotourism project, among other things, as Minister Mantashe had proposed relocating residents away from the mining area.

Studying the Xolobeni case in reference to the historic Mpondo Revolt highlights the continuing exclusion of rural communities from the South African nation state and allows one to trace this exclusion through history. The study analyses this exclusion as it relates to rights to participation, consultation and adequate representation; rights to land and resources necessary for independent livelihoods to continue; and finally, the right to a clean environment. Exclusions of this nature show a failure on the part of the democratic government to develop policies that would ensure protection of all citizens from oppression and dispossession, as was the reality of black people during colonialism and apartheid. This supports the argument that rural communities are still excluded from the South African nation state, in the same manner that black people were during apartheid.

1.2 Political background

After the 1994 transition to democracy, the South African government adopted a neoliberal model of governance (Sebake, 2017:2) that has proven to be incompatible with the needs of rural communities, by prioritising free markets and profits over the social welfare of citizens. Neoliberalism assumes that a good model of development is that which prioritises resource allocation and the private sector, based on unrestricted markets at the centre (Cahill, Cooper & Konings, 2018; Haslam & Heidrich, 2016). Therefore, the focus of a neoliberal government is to maintain economic growth by allocating resources in places deemed relevant to sustain the private sector and the free market system. Pendenza and Lamattina (2019: 100) define the neoliberal society model as

> … an environment in which a new kind of individual is formed, whose modus vivendi is focused on self-entrepreneurship and the obsessive acquisition of resources to achieve success in a competitive system … the individual is conceived as an unattached, self-responsible market player.

Neoliberalism therefore promotes ideas of individual responsibility where each person is responsible for their own wealth and wellbeing.

Pendenza and Lamattina (2019: 100) prescribe how citizens within a nation state should relate with their surroundings, while Haslam and Heidrich (2016) describe how the government should shape the nation state. This study then argues that, if not adequately managed, neoliberalism as described above can be destructive in a country like South Africa where political, economic and social divides have existed throughout history (see also Smith, 2018; Akinola, 2018). South Africa is also a country where resources have historically been reserved for certain groups of the population – the whites and later the rich capitalists – at the expense of others, the blacks and later the poor (Soudien, Reddy & Woolard, 2019). Adoption of the neoliberal model of governance by the South African government has evidently sustained a continuation of the divisions that characterised the apartheid and colonial oppression of some of the populations, such as rural populations (Schneider, 2003).

1.3 Problem statement

Economic growth-centred development in South Africa often takes place at the expense of those living in poor communities of the country, such as rural areas (Capps & Mnwana, 2015; Gumede, 2015). When the government initiates development projects like mining and privatisation of resources, rural residents are often dispossessed of their land and resources – at times without their consent or prior knowledge (Kunnie, 2000:67). This is an injustice perpetrated upon these communities as it violates their political, social and, in some cases, economic rights. Research suggests that this kind of development is a result of the neoliberal paradigm of government that was adopted by the African National Congress (ANC) in 1996 in the form of the Growth, Employment, and Redistribution plan (GEAR) (MacNaughton & Frey, 2018; Clarno, 2017; Kunnie, 2000). While these injustices are observable and have been written about, their extent in terms of recurrence during the neoliberal governance of the democratic government has not been analysed to any great degree.

1.4 Research questions

The main research question of this study is: How does the neoliberal paradigm of governance exclude rural communities from the modern South African nation state?
Sub-questions are as follows:

1. How does the Xolobeni community fight being excluded from the modern South African nation state?
2. What are the exclusionary practices of the government that led to the Xolobeni resistance?
3. How can the South African governance paradigm be modified to include rural communities in the modern nation state?

1.5 Literature review

Otsuka and Shiraishi (2014:84) maintain that since the "imposition of external powers at the beginning of colonialism, African states have struggled to control territories as well as to incorporate society" (see also Anseeuw & Alden, 2010). In this statement, the authors suggest that African governments have consistently, throughout history, been unable to simultaneously manage relations with external powers to prevent exploitation of local resources and take care of the needs of their citizens. This is the reality in South Africa, where there has been a clash of priority between social needs, including human rights, and meeting the needs of external powers.

In *Dispossession without Development: Land Grabs in Neoliberal India,* Levien (2018:1) investigates the shift from state-led capitalism to neoliberalism in India and how this started a new era of dispossession after colonisation. He writes that in India, land dispossession increased after colonialism as the postcolonial government used colonial laws to take land from people in the name of development (Levien, 2018:82). This has been disastrous for rural livelihoods, especially those that are land-based like agricultural farming, as the government dispossesses people of land to sell it for non-labour-intensive purposes (Levien, 2018). Likewise, Kay (2015) writes about the impact of neoliberalism on the lives of rural populations in Latin America. He finds that after the adoption of neoliberal policies in Latin America, the rural economy and society struggled to maintain profits by trading with pre-neoliberal methods

(Kay, 2015). Many of the rural populace were forced to go outside of the rural area to look for jobs. In both the Indian and Latin American cases, the rural populations mobilised against their oppression, by forming organisations similar to the ACC to collectively challenge the dispossession that had been imposed on them (Levien, 2018; Kay, 2015).

Similar situations are reported in African countries like Uganda and Ethiopia, where land policies have evolved to favour the economic interests of the state and international corporations over local citizens (Carmody & Taylor, 2016; Makki & Geisler, 2011). In both of these countries' researchers observe increased occurrences of land grabs by government, commercial farmers and international businesses (Makki & Geisler, 2011). These scholars also report a depopulation of rural peasantry as a result of a loss of land and livelihoods as many, like those in Latin America, are forced to go outside of their communities in search of work and an income (Makki & Geisler, 2011).

These land grabs often result in many people being dispossessed of their land or the rights to their land being transferred to another by the government (Carmody & Taylor, 2016). One Ugandan shared his thoughts on the changing land tenure systems in the country, saying "It is like I am a Kenyan in Uganda, reflecting their sense of loss of citizenship rights" (Carmody & Taylor, 2016:108). These rights, as the authors elaborate, refer to property rights for all citizens. The Ugandan has lost these rights by virtue of them being undermined by the government, who took his land from him (Carmody & Taylor, 2016).

These scholars are paradigmatic of the continued oppression of rural communities after systematically marginalising eras like colonialism within the developing world. The stories of Latin America, India and Ethiopia are similar to that of Xolobeni, in that they also show evidence of colonial oppression and how it has transferred to the current dispensation but is now disguised as development. The Ugandan case further includes the element of land dispossession as an exclusionary practice of the government, but to a very limited extent. The influence of colonial oppression on the current governance practices and the land dispossession of rural communities that violates their rights are both discussed in this study of the Xolobeni case.

The work described above is relevant in contextualising the fallacy of development in a neoliberal state, which is largely detrimental to the rural and poor populations while also largely

enriching those who already had access to the financial resources necessary for success. However, these authors do not investigate the inclusion or exclusion of these communities from the citizenry that may result from neoliberal governance in their countries. The work of authors who do address this (Levien, 2018; Kay, 2015) is not specific to the South African situation. This is the gap that my study fills, with reference to the South African context. The similarities of the cases in Latin America, India, Uganda, Ethiopia and South Africa make my work relevant to other developing countries, to highlight the issue of excluding rural communities from the citizenry of their countries by violating their rights and taking away their livelihoods.

Similarly, Schneider (2003:24) and Narsiah (2002:34) come to the same conclusion, that neoliberalism in South Africa has led to continued oppression of former disenfranchised communities. Schneider (2003:25) documents the role of neoliberal economic theory in the continued inequality and slow rate of significant change in South Africa. He says that "the ideology of apartheid, which kept the races separate and unequal, is being replaced by the ideology of the market, which is helping to preserve that inequality" (Schneider, 2003:24). Narsiah (2002:34) writes about the clash between the Bill of Rights and the reality of these excluded groups, focusing on the 1996 privatisation of previously 'basic service' flats in Chatsworth, Durban, that were built in the 1960s. The flats were sold to private owners, including people who already lived there. Tenants were charged rent, as well as for water and electricity. Many tenants could not afford to pay rent or buy their homes and were then evicted. The author argues that in such communities the socioeconomic rights espoused in the Constitution have been undermined and violated, as people lost their homes and access to basic services as a result of privatisation efforts of the government (Narsiah, 2002).

Although these authors investigate the continued oppression of former disenfranchised groups under neoliberalism, which is similar to the objectives of this study, their work is not specific to the exclusion of rural communities. Schneider (2003) writes about the experiences of the black population, including those in urban areas. Narsiah's (2002) work focuses on a formerly black area which is not rural in character.

My study has a particular focus on the less researched experience of the rural South African population.

1.6 Conceptual framework

This study employs the concepts of the nation state and neoliberalism within the postcolonial paradigm to analyse the Xolobeni resistance to mining and its implications for the analysis of rural exclusion within the South African nation state.

1.6.1 Postcolonialism

According to Sherry (2012:2) postcolonialism

> … examines the past and present impact of colonialism and racism on social, political, and economic systems, focusing on the ways particular groups of people because of notions of race or ethnicity have been excluded, marginalized, and represented in ways that devalued or even dehumanized them.

It provides a framework through which we can analyse the impact that colonial decisions and actions such as segregation and the Bantu Authorities system had on rural Mpondo people, to cause a phenomenon similar to that currently occurring in Xolobeni.

Postcolonial scholars reconceptualise the notions of the nation state and citizenship by Western scholars like T. H. Marshall, De Tocqueville-Durkheim and Max Weber and others, which are centred on relations within the defined boundaries and patterns of the traditional nation state (Chatterjee, 2004; Isin, 2009; Isin & Nielsen, 2013).

This paradigm guides this study in analysing not only the democratic government's imposition of the mining project in Xolobeni, and its implications for the citizenship of this community, but also the role of neoliberalism and globalisation in the actions of the government. Looking at the Xolobeni case through the postcolonial lens allows the conclusion to be made that the recurring marginalisation of rural communities like those in Eastern Cape is sustained by colonial and apartheid ideology, that has been carried through to the democratic dispensation in the form of neoliberalism.

The inconsistencies of the experience of citizenship within the nation state, which is argued in this study to be a result of the dominance of neoliberalism, causes the marginalisation of some groups within the nation state, who are excluded from the benefits of the rest of the citizenry in a significant manner. In this study I argue that the actions of Minister Mantashe and his department, the DME, in Xolobeni, which were motivated by neoliberalism, exposed the

continuation of the marginalisation of the community and other rural communities akin to what they experienced during apartheid.

1.6.2 Nation state

In postcolonial literature discussions of the nation state consider historical and contemporary violence, war, class, revolution and social activism, for these are the forces that shape the postcolonial state and place a person within a particular nation state (Isin & Nielsen, 2013:6). Comaroff and Comaroff (2001:631) define the postcolonial nation state as "a liable historical formation, a polythetic class of polities-in-motion" where people are connected by the experiences they share throughout history. They give this definition as specific to African states whose history is characterised by decolonial and democratic processes, further saying that over time globalisation and neoliberalism have also contributed to the identity of the postcolonial nation state, by forcing them to make efforts to participate in the global economy and protect their resources for their citizens, by both opening up their frontiers and securing them (Comaroff & Comaroff, 2001). They state as follows (Comaroff & Comaroff, 2001:636):

> In this way, the nation-state is transformed, in aspiration if not always in reality, into a mega-management enterprise, a business in the business of attracting business; this for the benefit of 'stakeholders' who desire simultaneously to be global citizens and yet corporate subjects with shares in the commonweal of a sovereign polity

In this study I discuss the exclusion of the Xolobeni community from the South African nation state and question its implications for the conceptualisation of citizenship in postcolonial and post-apartheid South Africa. The postcolonial scholars reviewed in this study argue that defining citizenship in Africa should consider transnationalism, democratisation, and the transforming political identity of modern postcolonial Africa. This includes the migration of people and the impact of democratic transition on the conception of citizenship (Lund, 2016; Halisi, Kaiser & Ndegwa, 1998). Halisi et al. (1998:340) define citizenship as follows:

> … a set of normative expectations specifying the relationship between the nation-state and its individual members which procedurally establish the rights and obligations of members and a set of practices by which these expectations are realized.

Isin (2009:371) describes a citizen as someone who participates in transforming the community or space which they are in. According to his definition, citizenship refers to "those deeds by

which actors constitute themselves (and others) as subjects of rights" (Isin, 2009:371), such as the acts of activism in civil society.

South Africa fits into both of the definitions of the nation state and citizenship given by these scholars. The country has a history of violence, war and revolution through individual and collective acts of activism by citizens, including rural citizens. We must therefore question the inconsistency of South Africa with the prescriptions of these definitions. Rural communities who were oppressed during apartheid and colonialism, communities who also participated in the dismantling of oppressive regimes, are now being excluded from the nation they participated in creating. In this study the concept of the nation state describes the environment in which citizens live and which perhaps guides the government in their ideologies, while the concept of citizenship places a person within the nation state. I investigate South Africa's disconnect from these descriptions.

1.6.3 Neoliberalism

According to Springer, Birch and MacLeavy (2016:2) neoliberalism refers to "the new political, economic, and social arrangements within society that emphasize market relations, re-tasking the role of the state, and individual responsibility". The history of South African policy, post-apartheid, shows this re-tasking of state objectives to fit the prescription of neoliberalism. Poor populations, such as those in most rural communities, often find themselves losing land and resources to profit the rich. These shifted state objectives lead to more inequality and poverty.

Adler and Webster (2000:4) agree with the sentiments above. The authors contend that neoliberalism leads to economic stagnation, not economic growth, and that it imposes high social costs on working class people in particular. Furthermore, liberalisation limits the capacity of the state to intervene in social, economic and political reconstruction. McMichael and Schneider (2011:132) also explain how liberalisation is enacted to the benefit of the elite and the detriment of the working class, arguing that trade liberalisation policies are fundamentally aimed at assisting large corporations to maximise profits.

The shift to neoliberal governance can be motivated by internal factors, such as poverty, that give leverage to external factors such as globalisation. Internal factors put pressure on the government to acquire efficient resources for a resolution, which then allows international

influences to dominate as possible solutions. One definition of globalisation (Talani & Roccu, 2019:4) says that it is:

> … characterised by dramatic increase in foreign direct investment (FDI), the transnationalisation of production and the social groups involved in it (especially labour and business) and an unprecedented interdependence of financial markets.

Other similar definitions are provided by Overbeek (2000), Mittelman (2000), and Dicken (2003). In terms of this, globalisation refers to the interconnectedness of people, markets and governance around the world, where all these things move freely from one location to another. Lisle (2005:504) writes about critics of globalisation like Keniche Ohmae, who says that globalisation "is an ideology put about by free marketeers who wish to dismantle welfare systems and cut back on state expenditures". This critique relates globalisation to neoliberalism as a paradigm that also changes the role of the government and the place of society in a country. This concept is therefore used in conjunction with neoliberalism to describe and analyse the actions of the Minister of Mineral Resources and Energy Affairs and his department in Xolobeni, that may be the result of international economic influences and pressures.

1.7 Research methodology

This qualitative study was conducted using a desktop analysis of literature and information on the Xolobeni case. The secondary sources analysed included books, journal articles, news articles and online court documents. A desktop analysis was most appropriate for this study because my intention was to interpret the content of these sources and identify the gap in relation to the circumstances of the Xolobeni case, and what these circumstances suggest about the inclusion of this community in the citizenry of the South African nation state.

1.7.1 Research approach and design

Kumar (2019:154) states that "A research design is a plan, structure and strategy of investigation so conceived as to obtain answers to research questions and problems." This study was conducted using the qualitative approach, following a case study design. A case study is a research design that most commonly falls within the qualitative approach rather than the quantitative approach (Yin, 2012).

Apart from the two main research approaches, which are qualitative and quantitative, a third approach is termed mixed-methods research and is a methodological combination of the first two.

1.7.1.1 Qualitative and quantitative research

Allen, Titsworth and Hunt (2009:6) define the quantitative approach as "any approach that uses systematic observation to account for and generalise about human behaviour" (see also Mertler, 2016). Data collection methods in this approach are very thorough. These methods are developed before the research project starts and are typically not expected to change. These include surveys, experiments, observations and content analyses (Leavy, 2017). Sampling strategies tend to centre on random selection and a large pool of participants, as opposed to the usually demographic representative selection process of qualitative research.

In contrast, Babbie and Mouton (2006:53) define qualitative research as "research in social research according to which the research process takes its departure point as the insider perspective on social action". This approach is "interested in analysing subjective meaning or the social production of issues, events, or practices by collecting non-standardised data and analysing texts and images rather than number and statistics" (Flick, 2014:542). Corbin and Strauss (2015:7) say that this kind of approach is appropriate for any study that is "about persons' lives, lived experiences, behaviours, emotions, and feelings as well as about organisational functioning, social movements, cultural phenomena, and interactions between nations." The qualitative approach is most appropriate because the analysed content in this study includes work that is dominated by social experiences, feelings, behaviours and emotions, as Corbin and Strauss (2015) outline.

1.7.1.2 Case study design

A case study is an "empirical inquiry that investigates a contemporary phenomenon within its real life context, especially when boundaries between the phenomenon and context are not clearly evident and it relies on multiple source of evidence" (Yin, 2009:13; see also Bartlett & Vavrus, 2017). This design makes use of data collection techniques such as one-on-one interviews, group discussions, and literature reviews (Yin, 2009:42). This study will use findings from real-life events to make sense of the resistance to mining in the Xolobeni community. The Xolobeni case exposes issues that face many rural communities and poor people in South Africa, such as continuing dispossession and marginalisation. This is also the

most recent case to garner the level of attention and influence they achieved in South African politics and society alike.

Yin (2012:95) notes there are three categories of case study methods: exploratory, which is interested in the 'what' question; explanatory, which is interested in the 'why' questions; and descriptive, which emphasises the 'what' question. This study of the Xolobeni case fits more readily into the descriptive and exploratory categories above, because it considers the actions and decisions of people involved in the case to make sense of the reality of citizenship in postcolonial and post-apartheid South Africa, particularly as this citizenship is experienced by the rural previously Bantustan communities.

The case study design is advantageous because, as Zainal (2007:4) suggests, "the detailed qualitative accounts often produced in case studies not only help to explore or describe the data in real-life environment, but also help to explain the complexities of real-life situations which may not be captured through experimental or survey research". Finally, case studies stimulate new research. Disadvantages of this design, however, include accusations of a lack of rigour and that it can be time-consuming (Yin, 2009; Lune & Berg, 2017). I addressed the issue of rigour by having a well-defined set of data and a well-defined topic, which I referred to throughout the writing process so as not to defer to less relevant discussions. The case study method was also found not to be too time-consuming for me, because the information needed for my study was already abundantly available. I therefore did not have to collect 'in the field' data from residents of Xolobeni.

1.7.3 Method of data collection and analysis: Content analysis

The method used in this research study is content analysis; this method can be used to analyse empirical data from texts in order to make conclusions about the messages conveyed (Merriam & Grenier, 2019; Neuendorf & Kumar, 2016). It is an unobtrusive method that employs indirect strategies for collecting data, including documentary records and nonparticipative observation among others (Lee, 2019; Allan, 2017; Babbie, 2016). Yang and Miller (2008:689) write that "underlying meanings and ideas are revealed through analysing patterns in elements of the text, such as words or phrases". Carlson (2008:100) describes the goal of content analysis as being descriptive, to highlight patterns and the rate of recurrence of events and social conditions.

This study analyses content from various scholars (including Kepe & Ntsebeza, 2011; Ntsebeza & Hall, 2007; Braun, 2014; Bruchhausen, 2016; Matebesi, 2020; Mahlatsi, 2018). In addition to these scholars, news articles from the *Daily Maverick*, News24, IOL News and the *South Coast Herald* dating from 2016 to 2019 were reviewed. These newspapers and online news sources were most relevant for this study, because they contained recent and comprehensive information on the Xolobeni case as it developed as well as its conclusion. In addition, I also searched for video clips of interviews posted by the South African Broadcasting Corporation (SABC) and eTV news programmes and the GroundUp organisation in the time period from 2008 to 2018 to get the raw opinions and views of community members and the government on the mining development. The time frames allowed the most up-to-date information on the case to be acquired, especially since most of the journalists' involvement occurred at the hight of the case, when the court battle had started. Lastly, I also drew from online government documents, including the Constitution, and documents about mining plans in rural communities and others, particularly about Xolobeni. These documents were accessed on the South African Government website to ensure their validity and relevance to the study. I also acquired online court documents that detail the case between the community and the Minister of Mineral Resources and Energy, Gwede Mantashe.

From this collection of documents, I extracted the opinions of the Xolobeni community and the government with regard to the mining development and its circumstances, and the arguments and conclusions of primary researchers and journalists.

1.8 Chapter outline

This study has four chapters. In the first, I introduced the study by indicating its purpose followed by an outline of the background of the case, the theoretical framework and finally, the methodology of the study. The second chapter then analyses the Xolobeni resistance of the mining development describing how this resistance challenges the idea of the nation state and citizenship in the contemporary South African context. In the third chapter I then discuss the practices of the government in Xolobeni under the banner of development that have resulted in the exclusion of this community. The last chapter is the conclusion. Here I emphasize the findings and arguments of the study and make concluding remarks on the study.

Chapter Two: Neoliberalism and the question of exclusion

This chapter analyses the exclusionary practices of the South African government which resulted in the resistance of the Xolobeni community. The chapter makes the argument that these practices are motivated by the neoliberal agenda of the democratic government, which was adopted after the apartheid era. Therefore, as the chapter demonstrates, the exclusion of rural populations from the South African nation state is a direct result of the neoliberal agenda of the government.

First I discuss the political exclusion of the Xolobeni community from the development processes in the area, including their exclusion from decision-making platforms, the divisions within the community as a result of the individuality promoted by neoliberalism, and the corruption of local leaders that resulted in misrepresentation of the community's interests. Subsequently, I discuss the displacement of Xolobeni residents that would have resulted from the mining, focusing on how this violates citizen rights with regard to landownership as per the Constitution. Lastly, I discuss how the government uses the socioeconomic challenges of the Xolobeni community to force them into accepting the mining, and to subject them to undertaking unskilled labour for the sake of enriching capitalists.

2.1 The dominance of neoliberalism in South Africa

Lowenberg (2014:152) writes that throughout South African history, mining and agriculture have been the focus areas for economic growth. However, both industries struggled with labour shortages as a result of an unavailability of skilled labour, which required government to create conditions that would fill the gaps (see also Clarno, 2017; Bundy, 1988). Lowenberg (2014: 148) notes that "Farmers and mine owners therefore pressured the state to enact various land alienation policies to transform a settled and relatively successful black peasantry into a low-wage labour force". This pressure from corporates led to the creation of the 1913 Land Act and the establishment of native reserves, among other land laws, and fiscal policies which also restricted black people from economic participation and the 'betterment' schemes of 1930 (Noyoo, 2020; Satgar, 2019; Maylam, 2016; Gumede, 2015; Mariotti & Fourie, 2014; Lowenberg, 2014; Hutt, 1964, cited in Schneider, 2003). Most of these policies and laws were said to be implemented in the name of development and increasing productivity of the nation

(Gumede, 2015). However, it became evident over time that these laws and policies were detrimental to the survival and success of the black population, and they experienced socioeconomic struggles including poverty and health challenges (Gumede, 2015).

To address this, the democratic government focused on restructuring society by implementing laws and policies that created a politically, socially, and economically inclusive nation (Du Toit, 2017). It was speculatively with this in mind that the transition from apartheid to democracy involved a dramatic shift in the policy stances of the ANC-led government. In 1994 this government initiated basic needs-centred policies that resulted in the Reconstruction and Development Programme (RDP), aimed at addressing the housing challenges facing many formerly disenfranchised citizens (Padayachee & Van Niekerk, 2019; Nel, 2018).

However, as time evolved, the government was forced to adopt policies and practices that would be focused on positioning the country within the global community and enhancing economic growth (Du Toit, 2017:3). Therefore, in 1996 they shifted to the GEAR policy, which stressed privatisation, trade liberalisation and deregulation as the main avenues for alleviating poverty, creating employment, boosting economic growth and increasing the confidence of investors in macroeconomic markets and industries in South Africa (Du Toit, 2017; Frederick, Fourie, & Skinner, 2018; Black, 2016).

This change in policy represented a shift from the socially focused policy of the RDP to the economically oriented GEAR policy based on neoliberal principles. Some scholars define neoliberalism as political, social and economic arrangements or policies that focus on markets, individual responsibility and changing the role of the state in society. Neoliberalism suggests that the main focus of an individual's energy should be on increasing their personal wealth by participating in trade markets (Brown, 2019; Mahlatsi, 2018; Springer et al., 2016; Springer, 2016; Sparke, 2006; Brown & Baker, 2013). It also suggests that the development of policy should be informed by economic goals rather than any other considerations (Brown & Baker, 2013). The state's priority would include a focus on sustaining and boosting industries that are most profitable for the accumulation of wealth.

In South Africa these industries have included mining, manufacturing and agriculture, which have all taken on varying scales of significance during the rise of industrialisation (Tshitereke, 2006). Over time, the mining sector prevailed as a key industry of growth for the economy, and the government began to focus on increasing productivity within the sector (Nattrass, 1995).

Tshitereke (2006:137) described the decline in the gold mining industry which happened concurrently with the ending of apartheid and the increase in demand for platinum. He states that the industry evolved to no longer need an abundance of exploitable and cheap labour for increased productivity, but to embrace a free, mobile, and competitive labour market where wages and wage increases would be assessed against productivity in mining output – all in a bid to increase gold mining profits (Tshitereke, 2006; Nattrass, 1995; Chipungu, 2018). By encouraging competition among labourers, the government created divisions where people are compelled to think about their own interests as competing with those of others in their communities (Chipungu, 2018). This is an example of the early employment of neoliberal principles in South African economic policy.

Mining has remained an integral source of economic growth in South Africa. As the Minerals Council of South Africa reports, in 2018 the industry contributed over R351 billion to the Gross Domestic Product of the country (Minerals Council South Africa, 2018). It is also claimed by Nadda, Bilan and Azam (2019) that, in addition to mining, the South African economy depends on foreign direct investment (FDI) for economic stability and growth.

Habib and Padayachee (2000), cited in Sebake (2017:2), share the observation that the change in economic policy from the social needs focus of RDP to the economy focused GEAR "was the result of the ANC's perception of the balance of economic and political power at both the global and local level" (see also Becker, 2020; Taruvinga & Mooya, 2019; Appel & Orestein, 2018; Castro, 2008). The government would then have wanted to condition the South African economy to be similar to or able to compete in the international community. Other scholars argue that it was in fact the targeted influence of the World Bank and Bretton Woods Institutions on African policy, other non-governmental organisations and academic constituencies in the early 1990s that resulted in this change (Kesselman, Krieger & Joseph, 2019; Khadiagola, 2015; Poku & Whitman, 2018). From these arguments the pressure that the government was under in determining how South Africa would relate to the international community, and the hurried need to shape policies that placed the country on that determined path, are clear.

Some scholars argue that structural adjustment and stabilisation reforms of this nature weaken a country's democracies when implemented (Lindstaedt & Frantz, 2019; Brenner, 2004). One such scholar is Przeworski (1991:88), who said that free market reforms "require governments actively to suppress political participation and citizen voice by weakening trade unions, leftist

parties, and other social organizations that advocate redistributive social and economic policies". Day (2004:81) and Weyland (2004:135) share the same view as Przeworski. These authors write about the introduction of neoliberal policies in Mexico, and find that these policies had a positive impact on stabilising democratic politics in the region; however, they did not have the same effect on government responsiveness, political participation and representation. Similarly, Becker (2020:15) claims that both Presidents Thabo Mbeki and Jacob Zuma admitted that growing inequality was a challenge for their administrations, as they failed to balance their involvement in global markets with their national responsibilities to citizens, resulting in increased inequality within the country.

In his discussion of the establishment of developmental institutions in South Africa as tools of social dominance, Munro (1996:4) gives a critique of the practices of the post-apartheid government in rural communities under the guise of development, which he finds only achieve state hegemony over these citizens by keeping them dependant on the state (see also Myeni & Okem, 2020). Munro (1996) adds that although rural development strategies are necessary for the construction of a post-transition state, these can often be synonymous with hegemonic strategies aimed at reconstructing social authority by giving the state more authority. He then argues that the control and manipulation of land and assets in rural areas was one of these strategies (Munro, 1996). However, Gelb (2006),S who is a supporter of this shift in policy, argues that the ANC was going to cause a deficit and economic isolation from the world economy if they continued with the socialist programmes.

Hutt (1964), cited in Schneider (2003), argued that the role of government in South Africa had been, throughout history, to protect the interests of the economically privileged and wealthy by preserving economic resources for this group at the expense of the poor. In contrast, Sebake (2017) laments that economic policies of deprivation, including neoliberal policies and those of apartheid, have been detrimental to the livelihoods of poor populations of South Africa, who saw increased unemployment and poverty in their communities.

This form of selective economic preservation seems to be the approach of the democratic government as well. Nadda et al. (2019) write that both mining and FDI have taken strain over the years, with FDI decreasing by 74% in 2016 from previous years and a significant decline in investment in mining, which resulted in decreased outputs. This has put considerable pressure on the government to develop solutions for these unfavourable conditions. At the 2020 South African Mining Indaba Minister Mantashe proclaimed the benefits that investors acquire

from South African mining, emphasising profits (South African Government, 2020). He went on to mention a R1 trillion Investment Drive by President Cyril Ramaphosa in 2019 which led to the granting of 28 new mining rights in iron ore, coal and manganese (South African Government, 2020). The Minister also stressed the need to focus on mining as a potential source of jobs and necessary revenue (South African Government, 2020).

The concern is that these projects have a negative impact on the lives of the residents in impacted communities (Sebaka, 2017; Gumede, 2015). Although the government promises employment and development in the areas, residents seem – on the contrary – to be further thrust into poverty. This is similar to the realities that faced black people during the colonial and apartheid era, when 'development' initiatives worsened their actual socioeconomic conditions.

The developments discussed above suggest that the decisions of the post-apartheid government are not only yielding the same results of inequality and oppression as those of the apartheid regime, but they are also evidence of the dominance of neoliberalism in South African governance and its incompatibility with the needs of the formerly disenfranchised populations. Going further, this chapter describes the ways in which the rural communities can be marginalised by the neoliberal processes involved in development, as seen in the Xolobeni mining case. This starts with the political exclusion of this community.

2.2 How the neoliberal agenda violates political rights

The community of Xolobeni expected to be well represented by their chiefs, supported by other members of the community, and to have their rights respected and protected by the elected constitutional government (de Wet, 2011; Reid & McKinley, 2020). However, this was not the case. Community members claimed that they were not consulted by the government about the mining project (Reid & McKinley, 2020; Sole, 2019; de Wet, 2011). As a result, they could not participate in the decision-making process concerning the development (de Wet, 2011). Various steps of the project took place without the consent of or consultation with community members, including the granting of mining rights to MRC and TEM in the Kwanyana Block of Amadiba in Xolobeni by former Minister of Mineral Resources Buyelwa Sonjica in 2008, which was later revoked by her successor Susan Shabangu in 2011 (Clarke, 2011). Drilling

was also scheduled to start in February 2016 as per an announcement made by Amadiba Chief Lunga Baleni (Sole, 2019).

However, the actions of the government may be deemed permissible under South African law. In a 2018 online GroundUp article titled *Xolobeni judgment is vital to land debate*, Wicomb (2018) writes that the Minerals and Petroleum Resources Development Act (MPRDA) of 2002, in particular, grants custodianship of all minerals and resources in South Africa to the government and also allows traditional leaders to approve projects as representatives of the community (Capazorio, 2017). According to Wicomb (ibid):

> … the MPRDA also provides that the Minister of Mineral Resources may grant a mining right to a mining company against the will of the landowner, and indeed, the Minister routinely exercises that right. Landowners cannot stop mining from happening on their land, even if it means that they are forced to leave their land.

However, The Interim Protection of Informal Land Rights Act (IPILRA) 31 of 1996 contradicts the latter, by stating that no person may be deprived of any informal right to land without his or her consent (RSA, 1996).

This is a contradiction, where the Constitution simultaneously protects the rights of landowners and gives the government the authority to override these rights. This is the inconsistency of the South African government in their approach to issues that affect society and the economy, such as land. Neoliberalism, as suggested in the definition in the preceding section, suggests that government should prioritise economic growth and profit. The flaw of neoliberalism is the lack of consideration for human rights and social development (MacNaughton & Frey, 2018; Fuentes-George, 2013). In fact, Queiroz (2017) makes the claim that neoliberalism rejects the idea of prioritising the needs of people in general, while mostly focusing on markets and profits.

Depriving people of agency in the manner the government has done causes the kind of conflict that happened in Xolobeni. Politically, agency is defined as "the capacity to take part in the struggle to define the modalities of life in common" (Maiguashca & Marchetti, 2013:16). In other words, agency entails the involvement of people in shaping their realities by participating and exercising their authority in the process of making decisions (see also Mueller, 2018; Darder, 2017). According to these authors political agency is synonymous with power,

rationality and choice and is also necessary in the modern world of capitalism and geopolitical pressures (Maiguashca & Marchetti, 2013:16).

Holzner (2007) then argues that neoliberalism stifles the political participation of both the urban and rural poor, by limiting their ability to mobilise and influence government decisions. He uses the clash between democracy and neoliberalism in Mexico to illustrate this argument. He says that neoliberalism decreases the income of the poor, their access to politically relevant resources, and their overall ability to take political action.

This is what unfolded at Xolobeni, as from the beginning of the proposed mining conversation the community members were left out. They did not have access to the ministers who were granting mining rights to the MRC, so that they could oppose this project from the beginning of the decision-making process (Clarke, 2014; Ledwaba, 2019). The community, being relatively poor, is does not have the economic resources to compel or influence government decisions, and therefore their voices and range of influence are greatly limited.

Scholars like Li (2005), Bulkeley and Mol (2003), Newig (2007) and Dalton (2008) challenge this exclusion of rural communities from the decision-making process in matters that affect their lives. Li (2005:133) argues that "only when local communities are involved in decision-making, can their benefits be ensured, and their traditional lifestyles and values respected". Taking a more political approach, Bulkeley and Mol (2003) studied the evolution of decision making and the role of government therein, arguing that non-participatory decision-making processes are considered undemocratic, ineffective, and illegitimate by politicians and affected community members. Munro (1996:9) argued that "development proceeds best by expanding the participation of the citizenry in planning and managing the structures that affect their lives".

Similar oppression occurred in the Somkhele community in KwaZulu-Natal, South Africa, where the community claimed that it was not consulted nor compensated before mining was conducted by Tendele Coal Mining Pty Ltd in the area (South African Human Rights Commission (SAHRC), 2018). However, the company says that all of these concerns were addressed with the Ingonyama Trust Board, which holds land for the communities (SAHRC, 2018).

Minister Mantashe and Xolco executive Zamile Qunya stated that the issue in Xolobeni was that the interests of those who wanted mining, referring to the youth organisation and its supporters, are silenced by those who are against mining – the ACC (Sole, 2019). With these statements, the two men are dividing the community by promoting the individual interest-based agency of neoliberalism (Queiroz, 2017; Gershon et al., 2011), which is incompatible with communities like Xolobeni where most resources, such as land and water, are shared; this is central to this particular resistance.

Community divisions are also evident in Reid & McKinley (2020:73) who detail the attacks faced by pro-mining community members at the hands of fellow community members who allegedly intimidated them into opposing the mining. The experiences of mining opposition groups are not much different – Mbuthuma of the ACC says that they are constantly threatened and pressured by other residents to stop efforts to block mining. A 2018 groundup article by journalist Thembela Ntongana further details the 2016 assassination of ACC leader Sikhosiphi 'Bazooka' Radebe outside his home (Ntongana, 2018).

Incidents of this nature threaten the agency of citizens on both sides of the debate. The destruction of collective thought and care propagated by the neoliberal principles of individuality and self-preservation instil in people in this community a mentality of achieving their own ends, even at the expense of democracy and community well-being.

In analysing the approach taken by the Minister and Xolco executive Qunya, I see that Xolobeni is viewed as a community of people with individual rights to the mineral-rich land – when in fact this is not the case. The government and leaders of MR- related companies are therefore attempting to distort the shared norms and rules that are present in communal ownership communities like Xolobeni. This divides the community, causing conflict that allows dominance of state and foreign corporate interests.

This reality has existed since the years of apartheid. Beinart (2011) interviewed Anderson Ganyile, a participant in the 1960 Mpondo Revolt. According to Ganyile, there were some Mpondo who did not support the movement with some even functioning as police and government informants, relaying and sabotaging the plans of the movement (see also Badat, 2013). Ganyile further narrated that these people were ostracised from the community, sometimes violently and without being able to take any of their possessions (Beinart, 2011). For example, Kepe and Ntsebeza (2011) reported a King Williamstown case where government

workers were attacked by residents for carrying out government projects, killing 12 men, including some police officers.

It also resembles the divide and rule ideology behind the separation of black people by ethnicity and language into 'native lands' by the colonial and later the apartheid government (Black, 2019; Mamdani, 2018). During this time, the government constructed ideas of differences in the consciousness of black people. This caused conflicts among the different groups and provided leverage for the government to rule over the resources of these communities.

Batsleer and Humphries (2000:16) challenge the marginalising nature of individual agency, defining political agency as "finding ways of making common cause out of those shared ends, entering into dialogue about shared and different interest and needs". They claim that agency is not merely about expressing or protecting individual rights, but also has a crucial collective element to it, and argue that the experience of citizenship in a nation must include both individual and collective agency.

Subsequently, Hanoman (2018) and Meyers (2014) have argued that poor communities do not have the capacity to enact individual power in the ways suggested by these authors. Hanoman (2018) writes that socioeconomic challenges such as poverty in poor communities create hurdles for people trying to access their political power through individual capacity. He then argues that individual agency is detrimental to the success of a democracy and that it is only through collective agency that a democracy can be strengthened. Similarly, Meyers (2014) argues that poverty has a negative impact on individual agency, especially with regard to matters of economic and social human rights. He suggests that forcing poor people to act based on their individual interests puts them at risk of exploitation by greedy entities. This also then presents the idea that collective agency, or rather collective participation, is more suitable for rural and often poor communities like Xolobeni.

This provides the context for the resistance that arises from these excluded communities. Governments that neglect to consult communities about development projects contradict democractic and human rights, sparking protest and resistance in communities who challenge these actions. In the case of Xolobeni, this point of governments being undemocratic is further emphasised by the contradiction between government actions and land rights as outlined in the Constitution.

Further, as mentioned at the beginning of this chapter, Munro (1996) reports that the post-transition state used the control and manipulation of land and resources in rural areas as a means to establish state hegemony over society. The Xolobeni case illustrates this, as Minister Mantashe sought to control the land rights of residents in the community and even proceeded to challenge the community in court for this purpose, in the name of development. The MPRDA and IPILRA are not only ambiguous, but they also fail to give permanent protection of land to rural communities, suggesting that the government does not prioritise the land rights of rural communities.

Guarneros-Meza and Geddes (2010) find similar patterns in various other countries, including Latin America. In *Local Governance and Participation under Neoliberalism: Comparative Perspectives* they report that democratic governments both encourage and restrict citizen participation in politics by implementing policies that do not support the rights and participation of poor groups in the country. This results in a contradiction and conflict that births social movements and protest.

This is yet another example of the danger of neoliberal division efforts in rural communities, and some authors argue that agency and participation within neoliberalism should be seen as reformed rather than destroyed (Gershon et al., 2011; Hu, 2015; Mirowski, 2014). This agency is reformed through the redirecting of a person's consciousness of agency from the collective to individual, where "the individual can through the democratic process – via votes or money – determine the structure, composition and path of the state and the market" (Wren, 2015:1233). Gershon et al. (2011) states that neoliberalism allows for the collective agency of people – as long as they act cooperatively and corporately, meaning with the neoliberal idea of profit in mind.

These latter arguments by Wren (2015) and Gershon et al. (2011) may be applicable in a context where all have equal access to the economic and political resources necessary for success. However, when investigating the availability of these resources to individuals, we find that the wealthy are more able to access them than the poor, who also have less access to platforms of political participation.

This section has so far proven that the government deprived the Xolobeni community of their political rights to agency, by excluding them from decision-making processes at the beginning of mining development plans. The government has also encouraged division within the community by promoting individual agency over the collective kind. Neoliberalism appears to be in line with the wishes and needs of the economically and politically powerful, as they have the geographic, economic, and political capacity to influence their destiny individually. It is, however, incompatible with rural populations who often have shared ownership and rights.

2.2.1 Corruption of chiefs and local leaders

The community also claims to have been misrepresented by community leaders such as the chief and leaders of Xolco (Reid & McKinley, 2020; Heywood, 2015; De Wet, 2011). Xolco executives are also connected to TEM and MRC. De Wet (2011) writes that since Xolco was founded the company has presented themselves as representatives of the Amadiba community's interests with regard to the mining project. Among other deceptive schemes, the group took people from neighbouring communities to Pretoria to deliver a pro-mining petition to the then serving Minister of Minerals and Energy, deliberately excluding the Amadiba residents (De Wet, 2011). These people were told that they would be signing up for electricity, but later learned that the petition was in fact for mining in Amadiba (De Wet, 2011). This petition was considered invalid when it was discovered that the names on the petition included those of deceased individuals and people who denied signing the petition (De Wet, 2011). Additionally, it was further revealed by an Amadiba resident that Xolco had promised Amadiba residents shares as an incentive to support the mining; these shares were never recorded.

The motives and actions of the Amadiba chief caused much contention in the community. According to Sole (2019), Chief Baleni had initially joined the community to oppose mining change his stance after receiving a 4x4 truck from TEM and being appointed chair of TEM and Xolco. He too was often challenged on his decisions by activist due to his speculated benefits from the mining (Reid & McKinley, 2020).

The actions of the chief and Xolco can be described as corrupt. Many scholars say that corruption is too complex a term to define in simple terms (Rotberg, 2009; Holmes, 2015; Heidenheimer & Johnston, 2002). Corruption involves unlawful economic acts such as fraud, embezzlement, kickbacks, bribery and extortion committed by public officials or others who hold positions where they have access to financial resources (Rotberg, 2009). Although

Xolco's actions as described above do not immediately fit this description, the motive behind their actions was financial gain (Reid & McKinley, 2020; De Wet, 2011), which then circles back to corruption. Corruption of this nature is in line with neoliberalism in two ways: first, by making decisions that go against the laws and regulations put in place by government, corrupt individuals undermine the role of the state, not just in trade markets but in society as well. Secondly, corrupt acts are usually carried out with the goal or enriching one's own interests (Holmes, 2006, 2015). This mimics the individual responsibility rhetoric of neoliberal theory, which claims that to be valuable to the world each person must work towards creating their own wealth.

South African local leaders often make corrupt attempts of this nature for personal gain from exploitation of the land and resources in their communities (Gumede, 2015). For example, in 2018 the Supreme Council of the Royal Bafokeng Nation in South Africa approached the court to retrieve 60 property deeds to Royal Bafokeng properties that were held in trust by the Minister for the current and future generation's community members (Yaw, 2018). However, concerned residents of Royal Bafokeng petitioned the court to intervene in the case between the Minister and the Supreme Council, lamenting that the deeds belonged to their ancestors and not the chief and his council.

This case is similar to the situation in Xolobeni in that in both the local leaders present themselves as representatives of community interests while taking actions that serve only themselves, including the ownership of land in Royal Bafokeng and the claiming of deciding power by the Chief and Xolco in Xolobeni, without informed consent from the communities. The kind of corruption displayed by these cases calls into question the power and role of traditional authority in rural areas and how this is meant to impact rural residents.

According to the Traditional Leadership and Governance Framework Amendment Act, 2003 (RSA, 2003), the functions of traditional leaders include:

> recommending, after consultation with the relevant local and provincial houses of traditional leaders, appropriate interventions to government that will contribute to development and service delivery within the area of jurisdiction of the traditional council.

The flaw in this statement is that it does not address the need to consult the community about development plans as the IPILRA states.

Other African countries such as Zimbabwe have entrenched in their Constitution the power of traditional leaders to control matters of land rights and use of communal land (Chigwata, 2016). According to Chigwata (2016) the situation in Zimbabwe has resulted in similar circumstances to those in South Africa, where chiefs are accused of being corrupt and accepting bribes for land.

Neoliberalism supports people who engage in activities that increase their own wealth and serve their interests, making them selfish and focused on power (Brown & Baker, 2013; Springer et al., 2016; Holmes, 2006). We can therefore conclude from these accounts that chiefs and other local leaders work with neoliberal intentions of enhancing their own wealth in mind, even when this competes with community interests. This presents a marginalising environment for rural and poor communities, as it creates more inequality and poverty for these populations.

These similarities bring up two main concerns, the first being the clear contestation between the realities experienced by rural communities and constitutional rights. For instance, the corruption of chiefs is a violation of the human right to adequate representation and consultation awarded to community members by the Constitution as citizens of these countries (RSA, 1996). This violation is perhaps the result of weak and ambiguous laws that do not protect communities from attempts of hegemony by chiefs. The second concern is with regard to the existence of chiefs in rural communities. I argue that, although they are said to be an extension of government within rural communities (Dlungwana, 2002; Lehlohonolo & Koenane, 2017; Kekana, 2016), in a country with an elected national, regional and local government the continuation of non-democratic institutions of governance that only exist in formerly excluded areas maintains their exclusion from the democratic nation state in practice.

During the 1960s similar institutions of leadership divided and marginalised the community. As Beinart (2011) writes, the Bantu Authorities Act was implemented without the consent of the community. According to this Act chiefs had control of decisions regarding land, without the need to consult the community (Beinart, 2011). Chiefs became corrupt and violent, taking bribes from local residents within their communities for land and enforcing government policies upon residents (Beinart, 2011; Stapleton, 2001:136).

According to Birch and Mykhnenko (2010) corruption is a result of weak states, particularly in terms of their purposefully neglectful policies and legislation as a counterpart of neoliberalism. Holmes (2006) claims that the spread of neoliberal principles of competition, reduced state role and a focus on ends over means has caused the high rates of corruption. This is a confirmation of the recurring exclusion of rural communities from the South African nation state as they are among the most affected by the depriving consequence of corruption.

Willett (2013) further problematises corruption in Africa. She first defines it as a misuse of public power for political or personal gain, following this with a description of the ways in which corruption by government or local leaders negatively affect the lives of citizens and can be detrimental to the cause of development (Willett, 2013). This includes the redirection of funds from social needs to projects with corrupt objectives, and the implementation of policies that give control of resources to particular institutions and actors who may also be corruptible (Willett, 2013).

These authors provide support for the argument that the corruption of community leaders and chiefs in Xolobeni is a result of diluted government involvement and fragile laws, that together fail to protect the rights of citizens in Xolobeni. In Willett's (2013) view, the government would rather put funds into mining than the kind of development that ACC members had claimed the community wanted. It could be argued then that the government saw the potential larger profit from mining and how they could individually gain from it, more than they would from tourism.

Neoliberalism threatens the political rights of Xolobeni residents in three major ways. First, their rights to consultation and consent to the use of their communal land were not honoured by the government as the Constitution of South Africa stipulates. There are also clear inconsistencies in the South African Constitution with regard to the land rights of communities like those in rural areas. Secondly, the collective agency of this community has also been challenged by the neoliberal individualistic principle of self-preservation, even at the expense of the common good. Lastly, they were not adequately represented by their leaders, including chiefs, organisations like Xolco and local government. The chief who, according to the Constitution, has a duty to consult his people about all development initiatives and to protect the interests of his people failed to do so, allegedly because of the incentives he received from MRC. Xolco also misrepresented the grievances of rural people regarding the mining as

approval. The deception of making false petitions that have no participation from the people who would be affected by the mining is marginalising the voices of Xolobeni.

2.3 Rural displacement and exploitation under neoliberal governance

Mahlatsi (2018:622) states that "the neoliberal model of development, as fashioned by the democratic state, has produced greater differentiation since the end of apartheid and deepened poverty in rural areas". The privatisation and sale of land at the foundation of the Xolobeni resistance and the anticipated displacement of families is a fitting case study for this phenomenon.

As explained in Chapter One, the proposed Xolobeni mining project was to extract various minerals in the area between the Mzamba and Mtentu Rivers, along the east coast of South Africa (Olalde, 2017). This area is home to five villages and approximately 200 homes in the Amadiba area (Dludla, 2019a). These residents were informed by the Minister of Mineral Resources and Energy, Gwede Mantashe, and the member of the Eastern Cape Council of Human Settlement, Babalo Madikizela, that 200 homes would be relocated to other structures away from the mining zone (Dludla, 2019a). The number of affected homes is contested, as the ACC counts 200 while a 2015 ejolt reports 62 and TEM only counted three families (Dludla, 2019a; ejolt, 2015).

Nonetheless, many Xolobeni residents opposed the relocations, with some lamenting "If the mine comes it will pollute our water and destroy our land. We will be moved away to live in townships without the space we need to farm. This land means everything to us" (Pierce, 2018). Similarly, ACC leader Nonhle Mbuthuma said that "the development would be welcomed but houses should be built where people stay, they should not be relocated. That would be an interesting development, considering that some homes could be removed to make the way for mining" (Dludla, 2019a).

In Somkhele, mentioned earlier, residents were forced to relocate to accommodate the mining. In 2018 the Human Rights Commission spoke to some residents about their experiences of the relocation, and one resident said "We used to have land for farming … but the mine took it away and we did not get any compensation for that" (SAHRC, 2018).

Similarly, in Mozambique the residents of Capanga were removed from their land as it became a mining zone (Lillywhite, Kemp & Sturman, 2015). They lost resources like clean water for their daily needs and good soil for farming. Residents in both Capanga and Somkhele are concerned about the disadvantageous conditions of the land they are resettled on for their livelihood strategies (Dludla, 2019; SAHRC, 2018; Lillywhite et al., 2015).

The cases of both Somkhele and Capanga reinforce the value of land to its indigenous peoples, particularly with regard to their longstanding livelihood strategies. The issue with market-centred policies in neoliberal governance is that they do not consider matters of values, culture and history that are tied to the resources which they view as commodities (Fuentes-George, 2013). This is then an exclusion of these communities, for whom values, culture and history are connected to land, from the constitutional protections of the nation state.

Kumar (2015:74) writes in *Development Induced Displacement: A Neoliberal Paradigm* that development-induced displacement of this nature is common in developing countries. He discusses neoliberalism as a dominant philosophy that has shaped the approach to development and displacement of people for the purpose of development. He finds that within neoliberalism development is synonymous with displacement and one rarely occurs without the other. While highlighting the deliberate use of law and constitutional institutions as instruments of rural displacement in developing countries, he finds that poor communities in countries like India, Mexico, Nigeria and Brazil are displaced for the exploitation of resources on their land (see also Levien, 2018; Carmody & Taylor, 2016). Kumar (2015:82) further claims that during colonialism this was done through established law, but postcolonial governance has continued it under neoliberalism as part of development strategies.

This displacement disguised as development is evident in South African history, as the colonial and apartheid governments justified the displacement of black families from their land as a means to bring progress to the 'primitive' society (Nhemachena, 2015). The post-apartheid government then implemented – and violated – laws meant to protect people from such displacement in the future, as evident in the Xolobeni case (De Wet, 2011; Clarke, 2011).

It is therefore arguable that by granting mining rights to MRC and proposing to relocate Xolobeni residents, the government is facilitating the displacement of black people and the

transfer of resources from black and poor people to the white and wealthy, as did the colonial and apartheid regimes. In this case MRC is an imperialist and a neocolonial entity not just because it is from the Western world of the former colonial powers, but because it is an external Western-owned company that seeks to benefit from the resources of land owned by poor South Africans, with no predetermined or mutually agreed benefit to them.

To illustrate further, Xolobeni falls under the communal land definition of South Africa which states that communal land is land that is "occupied or used by members of a community subject to shared norms and customs of that community" (Clark & Luwaya, 2017:1). This land is also protected under IPILRA (Skosana, Buthelezi & Vale, 2018). Laws like this, including the MPRDA, make sure that any act that is to take place on communal land is done legally and with the full consent of the community (Matebesi, 2020; Fine, 2018).

This movement of people onto insufficiently resourced land contradicts section 25 (5) of the South African Constitution, which makes government responsible for legislation that ensures the ability to access land resources for all citizens (RSA, 1996). This can mean that it is the responsibility of government to ensure that all citizens are treated with fairness regarding land ownership and land use rights. This section of the Constitution protects citizens from unfair expropriation of and dispossession from land.

This displacement is also similar to the 1913 displacement of black South Africans into 'native reserves' (Gumede, 2015). The Mpondo people detested the reserves because overcrowding, soil erosion and pollution did not allow them to farm or to expand their homes (Beinart, 2011). The DME has therefore acted inconsistently with the Constitution by proposing something that will change the living conditions of Xolobeni residents unfairly.

Mahlatsi (2018) also describes the actions of the DME in Xolobeni as predatory and motivated by neoliberal intentions. By his analysis, the Xolobeni case exposes the complex relationship between the government and rural communities, particularly regarding matters of land and development. This is also supported by Kapoor (2011:153), who writes that "neoliberal globalization has been devastating for rural populations pushed off their lands in order to make way for extractive industries and national development plans". In Ghana he has also observed that displaced rural communities are often thrust into poverty due to the loss of land-based livelihood strategies.

2.3.1 Socioeconomic issues as leverage for displacement

Minister Mantashe and the head of the Human Settlement Council claimed that the mining project would provide employment opportunities for unemployed Xolobeni residents, with over 281 direct employment opportunities expected from the mining and relocation building projects (Bennie, 2019; Ledwaba, 2019).

High unemployment is a critical challenge in South Africa, more especially in rural communities. Ndovela (2019) reported that 80% of the Xolobeni youth is unemployed. This is part of the 43.3% of Eastern Cape adults who are unemployed (De Cock, 2019; see also Nel, 2018). Nationally it is estimated that 54% of black South Africans live in poverty (Southall, 2016).

Chuhan-Pole, Dabalen and Land (2017) found evidence to prove that mining in fact benefits rural communities. In a study conducted in rural areas of Mali, the authors found that houses that were located close to mines had improvements in architecture and technology compared to those that were further away from the mines (Chuhan-Pole et al., 2017). They also found that mining increases the income of a family and their access to good health care. Therefore, mining reduces the chances of poverty and illness by enabling families to build better homes and get better health care (see also Naumann & Greiner, 2016).

However, this point is challenged by Shucksmith and Brown (2016), who argue that mining cannot be determined to be universally beneficial to poor communities as at times it exposes the dichotomy of wealth and poverty within affected communities. They say there is an uneven distribution of economic benefits between those community members working in and directly connected to mines and those who are not directly connected to mines (Shucksmith & Brown, (2016). Those who work in the mines have more access to these benefits than others who are not directly connected to the mines (Shucksmith & Brown, 2016).

Similarly, Wegenast and Beck (2020) argue that while mining activities have the capability of providing direct and indirect employment for rural communities, they also negatively impact food security, because they create fewer jobs over time and don’t invest much in building human capacity. The scholars suggest that multinational companies contribute less to the local economy and livelihoods of rural communities then is often stated; however, they contribute a lot more to the state and state institutions (Wegenast & Beck, 2020).

These arguments notwithstanding, the Minister's employment proposals were consistently rejected by members of the ACC, who informed him that they would rather have an investment into the already existing ecotourism in the community rather than mining (Bennie, 2019; De Wet, 2011). This was out of concern that mining would damage the ecotourism (De Wet, 2011). The Minister then suggested that ecotourism and mining can coexist and be collectively beneficial to Xolobeni residents (Bennie, 2019).

Locals also challenged the Minister regarding employment opportunities, including members of the community who say that they do not foresee any benefit for residents from the mining project. Bennie (2019) refers to a 2007 Environmental Impact Assessment by Groundwater Consulting Services, who were employed by MRC, which concluded that the loss of farmland that would result from the mining would not be compensated for by employment, due to the scarcity of skilled workers in the area. He concludes that "mining will not bring more benefits to those living in Amadiba than other options such as local tourism, agriculture and ecological protection". Additionally, a 2007 report published by the National Assembly suggests that the Xolobeni area "is recognised as one of the country's priority areas for biodiversity conservation and sustainable development. It is also internationally recognised as a global biodiversity hotspot, the Maputaland-Pondoland-Albany hotspot" (National Assembly, 2007:2). The report concludes with concerns that the mining activity in the immediate Xolobeni area of the Wild Coast will negatively affect the biodiversity and development prospects in tourism that have been identified by government departments (National Assembly, 2007).

The efforts of the government regarding employment are in line with the precarious nature of employment within neoliberal governance strategies (Feldman, 2019; Rizzo, 2017; Blyton & Morris, 2017). Pro-market scholars argue that flexible labour strategies are necessary for development in the era of globalisation. For example, Mahon (1987) writes that at the outset of globalisation and neoliberalism market demands became volatile, making it difficult for companies to sustain operations without changing their products to fit the demands; this was especially so because of the lack of skilled labour suitable for making these changes. This then gave rise to the phenomenon of cheap unskilled labour, as employers avoided the unsustainable cost of teaching and training employees, forcing them to work as unskilled and therefore cheap labour (Blyton & Morris, 1991).

This is what happened in South Africa during the rise of the Industrial Revolution. The government compelled black people to move into urban areas for work, by limiting their abilities to prosper through agriculture (Chipungu, 2018; Bruchhausen, 2016; Beinart, 2011; Kepe & Ntsebeza, 2011). The ways in which this was done included increased taxes, overcrowding and less access to land after betterment schemes (Beinart, 2011). As a result, many black people migrated from rural to urban areas to find work, even after apartheid (Bundy, 2020).

The similarity between the apartheid and democratic dispensations with regard to blacks being subjected to providing low-skilled labour in capitalist corporations is the geographic positioning of people close to mining areas as available labourers. Black people are removed from their land but kept close enough to work at these corporations. This is yet another example of the persistence of apartheid and colonial-like oppression of rural people under democratic governance. As Feldman (2019) writes, neoliberalism has introduced changes that are simultaneously continuous and different from past interventions targeted at poor communities which only resulted in the exclusion of these communities.

Moreover Feldman (2019:345) examined the relationship of neoliberalism to social welfare policies as they affect poor communities, and found that "the neoliberal agenda has contributed to the expansion of social-economic inequalities … this precarious nature of work in the neoliberal era has resulted in a large number of working people living in poverty." This is similar to Cam's (2002:91) statement that "market solutions have entailed a massive exclusion of people from working life instead of enhancing employment prospects". He discusses the notably decreased earnings of employees in neoliberal Turkey as the public sector was gradually privatised in the 1980s, making the argument that neoliberal strategies are detrimental to human survival (see also Duszczyk, 2019; Clarno, 2017). Feldman (2019) concludes that neoliberalism has changed the conception of citizenship, from a collective of people working towards advancing the common good, to autonomous subjects who compete to increase individual value within particular markets.

Neoliberalism subjects' people to precarious labour practices for the sake of capitalist corporations. The similarities between the colonial and apartheid government strategies for creating employment for capitalist corporations and those of the democratic government are clearly exposed by the Xolobeni case. The former regimes limited the access that black people

had to economic power by removing them from their land and taking away their independent livelihood, leaving them with no option but to work for the corporations that now occupied their land. The same is facing the Xolobeni community, which is being relocated and promised jobs on a development that will occupy their land and use resources from their land.

Further, I discuss the environmental impact that mining would have in the Xolobeni area, considering pollution and the struggle for water resources that would occur if the mining were to continue.

2.4 A clash of neoliberalism and environmental preservation

Xolobeni residents were also concerned about the possible contamination of water, air and soil as a result of mining activities. As one local resident wrote on postcards collected by the *Daily Maverick*: "… the natural streams provide us with water, and we use the land to grow our crops. The mine will use up all the water and take away the wealth of our land" (Pierce, 2018). Environmental experts also say that in the long term mining results in a loss of biodiversity, drought, floods, deforestation, and food insecurity, among others (SAHRC, 2018).

The South African Constitution also makes provision for the protection of environmental rights as they relate to human rights. Section 24 of Act 108 of 1996 demands the government to ensure that all citizens live in a healthy environment, free from pollution and ecological degradation, an environment that supports conservation and sustainable development (RSA, 1996). Further, in compliance with South African law, MRC had to employ an independent environment impact assessment analyst in Xolobeni in 2015; however, the community refused to participate with the analysts (Clarke, 2014). This made it challenging for the government and MRC to continue with mining in the region, as it would infringe on the environmental rights of the Xolobeni people.

A similar situation is currently occurring in the Karoo region of South Africa, where for many years companies including Shell Oil have been attempting to conduct exploration projects to find and extract shale gas which is reportedly abundant there (Githahu, 2019). Residents of the Karoo and environmental activists have stressed the negative environmental impact that would result from the methods of exploration which include fracking, an act that involves releasing high-pressure water and chemicals to crack rock and release gas (Githahu, 2019). Those in

support of this project say it would remedy the loss of jobs and poverty resulting from a six-year drought in the Karoo (Reuters, 2017).

In this case, much like Xolobeni, the prevailing opinion of those who support development is that it will ease the poverty resulting from unemployment and other broad socioeconomic challenges. In both communities the residents are poor as a result of a lack of resources and opportunities. However, they still oppose extractive activities because of their environmental effects and possible disruption of residents' wellbeing.

Developing countries often experience invasive activity from economic actors that seek to exploit resources on their land. According to Benassatto (2020), the indigenous Xingu community of Brazil is also in conflict with their President, because of his adamant efforts to open up their protected lands for commercial mining and agriculture. In recent years commercialisation of tribal land has allowed illegal miners and loggers, causing a rise in deforestation and fires in the biodiversity-rich Amazonian reserves, and destruction of indigenous livelihoods (Benassatto, 2020; Albertus, Brambor & Ceneviva, 2018).

The betterment schemes of the 1930s also centred on the economic control of resources in South African black communities, and only worsened conditions of overcrowding, soil erosion and pollution, to name a few (Ally & Lissoni, 2017; Stull et al., 2016). However, the colonial government described these schemes as initiatives to combat environmental issues in the reserves, such as land erosion (Beinart, 2011).

Rosegrant and Ringler (1999) researched the impact of transferring water from agricultural projects for urban and industrial needs on food security in agricultural communities. Their findings suggest that the reallocation of water in this manner causes a decrease in agricultural production and changes crop patterns. It "negatively affects business activities … and the quality of public services in areas losing water" (Rosegrant & Ringler, 1999:21). This view is supported by Brain (2017), who argues that extractive projects like mining increase the vulnerability of agricultural livelihoods in rural areas because of the resulting loss of land, pollution, and water shortages.

This is partly theorised by Fuentes-George (2013) and Holmes and Cavanagh (2016), who claim that governments and corporate actors only support environmental actions if they see it

as economically rational to do so. These authors discuss, among other things, the contestations and inequalities that arise from neoliberal conservation strategies in different countries. Fuentes-George (2013) writes about payment for ecosystem services, a neoliberal approach to biodiversity management which is centred around the use of economics in convincing policy makers, citizen populations and corporates, particularly in developing countries, to support ecological objectives including conserving biodiversity. She concludes by suggesting that local actors including governments and corporates should consider alternative frameworks for the considerations of conservation, that accommodate non-monetary values.

These arguments are relevant to the discourse on Xolobeni, because Minister Mantashe has consistently rejected the environmental concerns of Xolobeni residents, despite the added cautions by environmentalists. Rather, he has proclaimed the economic benefits of mining, to the community and the country. We can then conclude that his approach prioritises that which holds most monetary value when one looks at the environment and mining. The Xolobeni case also then shows the need for alternative methods of assigning value to environmental spaces, which will include morals and values as valid entities.

Harris and Said (2013) focused on the role of the state and international monetary institutions in the degradation of the environment in developing countries under neoliberal principles. They argue as follows (Harris & Said, 2013:14):

> … in order to repay international debts and comply with the free market dictate of the international lending agencies, many of the developing countries have followed economic development strategies that are antithetical to the preservation of their natural environments.

They make examples of restructured ecological zones that were replaced with more economically valuable environmental projects, including mangrove forests in Asia, Africa and South America that have been replaced by shrimp farms to make way for export-oriented shrimp farming. The authors conclude by claiming that in developing countries the preservation of environments is not a priority; rather, these countries prioritise capitalist development.

These arguments simultaneously have similarities with and differences to the situation in Xolobeni. Here the government has not replaced one ecology with another, but they are replacing one environment-related sector – tourism – with another, that is mining. Although the government has made several attempts to reassure the public that the two can coexist, the

data do not support these claims. Therefore, this researcher shall maintain that mining would push out ecotourism with pollution, among other destructive impacts. The Minister has neglected to support tourism which preserves the environment, and rather advocates for mining which causes deterioration of the natural environment.

It should be noted that the ANC-led government has made some strides in supporting community-based tourism, including an annual R120 million investment to help tourism communities over three years from 2017 (Department of Toursim, n.d.). However, there is no specific mention of rural community mining projects in this initiative, and neither is Minister Mantashe reported in literature or media to have mentioned this investment his discussions with the Xolobeni community.

Chapter Three: Claiming citizenship through protest

In this chapter I demonstrate how the Xolobeni community has mobilised to fight against the South African nation state and its exclusionary practices. The chapter begins by providing a context of the nation state as an exclusionary institution, particularly within the South African context. This is followed by an analysis of the methods of protest, including violent and non-violent protest, and the inconsistencies they reveal about the South African nation state, which include inconsistencies in the relationship between mobilisation and democracy, the police response to protests, and the role of courts in the modern nation state. Lastly, the chapter analyses the contributions of the media, including mainstream and social media, in the Xolobeni resistance in order to highlight their contribution to the result of the resistance.

3.1 Contextualising rural exclusion in South Africa

After apartheid was dismantled in the early 1990s, the democratic government began to reincorporate and include the former Bantustans into the RSA, with reformed policies to guarantee and protect their citizenship (Ally & Lissoni, 2017). Residents of these Bantustans then became legitimate citizens of South Africa with political, cultural, and economic rights as per the Constitution (RSA, 1996). The idea of the South African postcolonial nation state was then propagated through the rhetoric of this inclusion as a declaration of post-apartheid unity among the citizens, among other tools (Khumalo, 2018).

The social movement in Xolobeni challenges this idea of a cohesive nation state constructed by the post-apartheid regime. As evidenced by the resistance, this community continues to be displaced within the South African nation state, to a similar extent to how they were during apartheid and colonialism. One critic of nationalism (Marx, 2002:107) states that the problem of postcolonial and post-war nation states is their failure to include all ethnic groups:

> States have not consistently incorporated all potential internal constituents, but instead have often purposefully excluded some, contrary to the presumed imperative for pervasive unity or ethnic homogeneity. Ethnic subgroups have been retained as subalterns or have been expelled, though the victims have not been preordained … Nationalism has been internally exclusive, not just along the lines suggested by the old debate about civic or ethnic forms, but also according to race, gender, religion, and class.

He then makes the argument that exclusion within nation states is maintained by the state through the systems that were preordained to purposefully exclude certain groups (Marx, 2002). In South Africa these would be continued economic inequality, lack of quality education and a lack of access to health care, to name a few (Crain & Reddy, 2019). Marx (2002) presents examples of state-led exclusion to further illustrate his point, including South Africa's apartheid system and the American Jim Crow era where racial caste laws were enforced in the Southern American states before moving to other states in the country to systematically exclude black people from what was deemed a white nation (see also Ritterhouse, 2006).

In contrast, Wimmer (2002) and Comaroff and Comaroff (2001) argue that in fully formed nation states exclusion is not experienced by populations within the state, but by those who come in as immigrants or outsiders. However, they agree that this exclusion of immigrants is also cemented in the systems and laws of the nation state, as suggested by Marx (2002) in the context of ethnic exclusion.

Although Wimmer's (2002) work directly addresses exclusion in the experience of foreigners and refugees within an established modern nation state, it is still relevant within the contemporary South African context. As stated in the introduction to this study, the Bantu Authorities Act had the goal of legally excluding the Bantustans as territories that were external to the South African nation. Therefore, any interaction between the 'legitimate' citizens of South Africa and those in Bantustans would have been between a citizen and a foreigner. Contemporary democratisation and reincorporation of the formerly excluded Bantustans without access to economic and political resources therefore keeps the rural population (like Xolobeni) in the same position as imposed on them during apartheid – as foreigners within the modern nation state.

The Xolobeni protest is therefore a continuation of the national fight for freedom which dismantled apartheid and led to the creation of this democracy, including the Mpondo Revolt. This resistance challenges their exclusion from the citizenry of the South African nation state, as per the notion of citizenship in which the rights of the population are protected by the Constitution. The formation of the ACC organisation and the movement against mining is itself a proclamation of citizenship under the democratic state.

Social movements of this nature are key in the democratic process, particularly when used as a communication tool between the government and citizens (Della Porta, 2009). In this way communities are able to hold their governments accountable for violations affecting them. Trevizo (2011) claimed that in the last three decades of the 20th century both rural and urban social movements played a role in the birth of Mexico's democracy. He outlined how peasants, poor farmers, mountain dwellers, landless people and workers mobilised to overthrow the dictatorship of Porfirio Diaz (1876-1911), and how in subsequent times this same demographic fought capitalist corporations who tried to privatise community land at the cost of dispossessing rural people and farmers of their land (Trevizo, 2011).

This argument can also be made in South Africa regarding the Mpondo Revolt. This revolt can be argued to have been instrumental in the birth of democracy in this country, since it was essentially a rural revolt against the territorial and political exclusion of rural populations from the South African apartheid government/nation state. Postcolonial scholars have referred to this movement as the blueprint of revolution in the country's history (Moodie, 2011; Ally & Lissoni, 2017; Brandt & Mkodzongi, 2018).

In a more contemporary comparison, the Xolobeni movement can be argued to be reaffirming the democratic laws upon which the South African democracy is founded. The community used democratic institutions such as the Constitution and the court to challenge their government and the capitalist corporations under MRC. This reiterates the role of rural mobilisation in the South African democracy.

3.2 Mobilisation and protest within the nation state

According to (Elliot, 2006) civil society organisations and protest are critical in maintaining democracy in a democratic society. When people are frustrated or aggrieved by micro or macro sources of psychological disturbance, such as unemployment or structural changes such as industrialisation or urbanisation, people are bound to protest (Opp, 2009; Arce & Rice, 2019). The South African Constitution (Chapter 2, Section 17) protects the rights of citizens to protest (RSA, 1996).

3.2.1 Establishment of the ACC as a declaration of citizenship

With the above in mind, we should see the establishment of the ACC and the subsequent protest as a declaration of citizenship of the nation state, and as evidence of an awareness of the attempts to exclude them from the nation state by denying them their political, social and economic rights.

Throughout South African history such organisations standing up against state oppression has been the norm. Some of the current political parties, like the ANC, were born from resistance to state oppression (Robins, 2008). The rural Mpondo of the Eastern Cape formed Ikhongo, also known as the Hill Committee, to fight the systemic oppression (Bruchhausen, 2016; Stapleton, 2001). The community opposition was not necessarily in the form of an established group like the youth group of Xolobeni, but rather was made up of individuals within the community who worked against the oppression (Badat, 2013).

The ACC is similar to the Hill Committee, in that both guided the respective movements through collective goals to protect their communities from exploitation in the form of a lack of consultation, lack of adequate representation, and economic challenges as a result of government intervention in their communities (Badat, 2013; Stapleton, 2001). However, they differ in the political context in which they were formed and therefore also in the roots of their struggle. The ACC aims to stop the violation of rights that Xolobeni residents already have as citizens of South Africa, while 'the Hill' fought for the Mpondo to be given these rights, confirming their citizenship in South Africa. These similarities and differences indicate not only the long fight for inclusion by the Mpondo community, but also the continued efforts to exclude them by the South African government.

Soss, Fording and Schram (2011) argue that one of the challenges in the relationship between government and poor populations is the neoliberal pattern of governance displayed in programmes said to have the goal of poverty relief, but which only achieve the control and tempering of hardship so that these populations are not disruptive to the rest of society (see also Gledhill, 2018). Essentially this claim states that the government uses neoliberal approaches to rural and poverty problems in order to keep the poor in a state of exclusion, but with just enough provision to keep them from inconveniencing the rich.

Chollett (2013:3) also discusses the relationship between neoliberalism, social exclusion, and social movements, and argues that,

> … global phenomena (privatisation) and local dynamics (resistance, social movements) must be understood as interrelated rather than separate, reified entities … the nature of this interaction must be understood only within a historical framework.

He describes a movement in the Puruaran community of Mexico formed by former employees of a sugar mill located in the community, after the sugar mill – which had recently been privatised – was shut down, resulting in the loss of many longstanding jobs (Otero, 2018).

Similarly, Weldon (2011) and Silva (2015) argue that civil society organisations of this nature result from a collective awareness of deprivation. Weldon (2011) discusses the 1999 Battle in Seattle, a movement against the lack of representation of disenfranchised and marginalised groups in the world in this era of globalisation and the World Trade Organisation (see also Fithian, 2019; Buerge, 2017). He then argues that activists are representatives who give voice to issues that would otherwise be ignored or unseen, subsequently saying that social movement organisations provide a platform for representation of marginalised communities, which subsequently empowers these groups to participate in a democratic society (Weldon, 2011:2):

> Social movements enable representation and inclusion by facilitating the articulation of group consciousness, by organising and mobilising the very groups to be represented. Disadvantaged groups define themselves and identify their priorities through such movements. Without social movements, there are no constituencies or group perspectives to be presented … movements articulate and diffuse to the broader citizenry alternative, otherwise marginalised perspectives on political issues, enriching deliberation about policy issues.

Silva (2015) then argues that collective protest in the form of an organised movement has a significant impact on policy formation and policy change. He uses various examples, including that of Argentinian picketers who in the 1990s protested against the neoliberal trends of privatisation and capitalist labour market policies (see also Rossi, 2017). This group was able to compel leaders to implement new and expanded programmes to assist those affected by lack of employment and poverty. Similarly, Silva (2015:32) mentions the Chilean student movement of 2011–2013, which was about "equal opportunity for all, they demanded free, high quality education across the system and an end to for profit education in private schools that accepted state tuition vouchers" (see also Davies, Ryan & Pena, 2016; Valenzuela-Fuentes, 2019). The students managed to compel the government to adopt generous public grant and

student loan systems, along with a new state agency to ensure quality control of education (Silva, 2015).

These cases mentioned above, including, the Mpondo Revolt and the sugar mill closure, show the kind of frustrations described by Arce and Rice (2019) that cause citizens to protest against their governments. These protests subsequently expose the disconnect between the definitions of a postcolonial state, being all people unified by past struggle, and the realities within these countries as a result of neoliberalism.

The 1999 Battle in Seattle, Chilean student movement and Argentinian picketers' movement, have a great deal of similarity to the Xolobeni movement; collectively they show the need for and purpose of social movements such as that of Xolobeni in contemporary society. Firstly, in all three examples, including the Battle in Seattle, the Argentinian picketers and Chilean students, the pattern of oppression and response are evident and persistent. Particular groups observe the oppression of their own or another group that is not able to fight effectively for themselves and rise to their defence. Secondly, all three cases show that contemporary activism by the marginalised is a result of neoliberalism patterns of the modern state, be it the lack of representation of disenfranchised groups from global economic institutions, privatisation in the labour market that negatively impacts the working class and poor but benefits the rich and capitalist class, or the invasion of rural communities for the sake of mining disguised as development. These cases are also similar to the ACC and their accomplishments in the Xolobeni resistance. For instance, activists like Nonhle Mbuthuma and Sikhosiphi 'Bazooka' Rhadebe became representatives for a community who felt that their interests were not being recognised or protected, a community who claimed to be poorly represented by their leaders. The ACC then was a platform for those who were involved in the movement to express their grievances and ensure that their cause was not ignored or unnoticed. Lastly, the Xolobeni movement, much like the case of the Argentinian picketers, displays the power of collective action in changing the conditions of the oppressed. In Xolobeni the ACC was able to halt the mining development after a court ruled in their favour.

3.2.2 The size and impact of the movement

Some might argue that it would have been difficult the estimated 200 households that participated in the movement to achieve success without the help of outside organisation.

Compare this number to other social movements like Fees Must Fall, which saw participation by many thousands of students across the country (Booysen, 2016). However, one should also be aware that although mobilisation and large numbers are important for creating large-scale awareness of social problems and protests, there is little evidence to link the outcomes of a movement to the size of the group protesting.

Some scholars found no evidence that size has any impact on the success or failure of a movement (Crutchfield, 2018; Holifield, Chakraborty & Walker, 2017). Lee and Chan (2011) argued that the only aspect that makes numbers important in the outcomes of a movement is how they influence media coverage of it. Nonetheless, the ACC was able to gain support from many sources outside of the community, including GroundUp. This magnified the movement, giving it access to resources such as media tools for the making and broadcasting of videos, and arguably contributing to the success of the movement in court. However, while the number of protesters is beneficial to the cause of a social movement, it does not determine the outcome of the movement.

3.2.3 Protests against exclusion in the nation state

During times of disagreement and protest the aggrieved and the aggressor often hold meetings to negotiate resolutions to problems. Carbone (2018:32) lists negotiations, demonstrations and picking candidates for election among forms of non-violent protest.

The community hosted numerous meetings with the various ministers in the DME over the years during which they expressed their objection to the mining (Reid & McKinley, 2020; De Wet, 2011). This is a common democratic practice of negotiation in South African government and community relations. In 2013 the then serving ministers of various departments, including, Finance, Water and Environmental Affairs, Labour and Human Settlements, were part of a committee that visited mining-affected communities like the Madibeng district, Bokamoso and Moses Kotane regions (South African Government News Agency, 2013). This was after community members complained that they were not receiving the benefits of mining as they had been promised, which included houses and employment (South African Government News Agency, 2013). The purpose of such engagements is to attain resolution of the concerns of the residents (South African Government News Agency, 2013). However, in the case of Xolobeni the members of the ACC claim that the DME came to force mining on the community instead of discussing their views (Shange, 2019).

Although the Xolobeni resistance was mostly non-violent, a 2019 meeting turned violent as opposing groups of those for and against mining in the community attacked each other (Ngcukana, 2018). According to the *City Press*, police were forced to use grenades and rubber bullets on community members to disperse them (Ngcukana, 2018). In this instance the role of the police in Xolobeni was suggested to be mitigative for the most part. However, Reid and McKinley (2020) describe clashes between police and residents. First, in 2007 the ACC destroyed dust monitors planted by MRC outside people's homes, and the police carried out many arrests for property destruction and vandalism (Reid & McKinley, 2020). A second instance was in 2015 when a pro-mining group violently attacked ACC members, killing one of them (Reid & McKinley, 2020; Human Rights Watch, 2020). The police again intervened and arrested many suspects, but no charges were filed (Reid & McKinley, 2020).

There is a clear contrast in the response of the police to those who are against mining and those who are in support of it. As described above, members of the ACC, who are against the government, were arrested and immediately charged for minor crimes, while a murder case where the perpetrator is most likely to be pro-mining remains unresolved.

The community also participated in street demonstrations as a form of protest (Matebesi, 2020). For example, on 25 May 2016 approximately 60 civil society participants marched through the streets of Cape Town in protest at mining by MRC on the Wild Coast (Washinyira, 2016). During this protest memorandums, which among other things demanded that Xolobeni be a prohibited zone for mining, were delivered to the DME, Parliament and the South African Police Services (Washinyira, 2016; Sole, 2019). There was no reported police violence or excessive force in response to this protest. In contrast, a similar peaceful protest in Xolobeni in September 2018 was met with teargas and violence from the police (Frykberg, 2018). In the 2018 IOL news article by Frykberg, Amnesty International is reported to have condemned this response as unconstitutional, saying "It is unacceptable that the SAPS resorted to violence and threats to disperse peaceful protesters. The police must remember that community members have the right to peaceful assembly".

Residents of the Lephalale community of Limpopo along with the environmental justice group Earthlife Africa mobilised in order to appeal a decision by the DME to grant Groothoek Coal Mining Pty Ltd an environmental licence for their proposed coal mine construction in

Lephalale at the Johannesburg High Court (Centre for Environmental Rights, 2017; see also Durojaye & Mirugi-Mukundi, 2020). While lawyers and some residents were inside the courtroom, others staged demonstrations outside in support. The proposed mine was to be built close to homes with low-cost and unstable housing and a hospital, in an area that also has water shortages among other problems (Centre for Environmental Rights, 2017). Again, in this instance there were no reports of police violence or excessive force, while a later protest within the community was met with approximately 20 arrests and reported violence at the hands of the police (De Villiers, 2017).

What is evident so far is that the South African police respond differently to protests in rural areas than they do to those in urban areas. Both the Xolobeni and Lephalale communities protested against the government in the City of Cape Town and outside a court in Johannesburg, with no reported arrests or violence in either case. However, protests inside these communities were met with police violence and arrests. This coincides with Soss et al.'s (2011) assertion of poor people being controlled where they are based, so as not to be a nuisance to the rich. When protests are held in urban areas they are often supported and attended by the rich, who do not fall into the part of the group to be contained.

To illustrate further, the 2012 Marikana Massacre was the result of a violent police response to protesting miners from the Lonmin Mine in Marikana, who wanted better salaries and good working conditions (Dlulane, 2019). Although not in a rural area, Marikana is in a settlement location where mostly black people were involved, similar to Xolobeni and Lephalale. The police reportedly killed 34 miners and injured a collective 78 protestors (Alexander, 2012:178). Investigations of this incident have taken six years to reach a conclusion with nine police officers to appear in court for murder, while the police response to the protest was almost immediate and deadly (Chabalala, 2018).

This then further suggests perhaps an undisclosed agenda of South African security forces to promote and protect the agenda of the government, while also keeping the marginalised in a state of incapacity to protest their marginalisation. The police are in fact a tool of the government to control or manage the marginalised. This further reveals a lack of transition or rather evolution of the South African security forces with regard to their relationship with citizens.

In a broader analysis, the South African context also presents a similar racial and class bias in law enforcement as evidenced by their attitudes in poor townships as opposed to wealthier suburbs. For example, the recent responses of police during the coronavirus pandemic in townships and urban areas have been a significant indicator of this argument. For example, on 10 April 2020 Collins Khosa from Alexandra Township in Johannesburg died in his home just hours after being beaten by members of the South African National Defence Force for allegedly violating lockdown rules (Nicolson, 2020). The assailants were later exonerated in an internal investigation, despite the accounts of eight witnesses who claimed to have seen use of excessive force by the soldiers (Nicolson, 2020). This was after many videos circulated on social media showing law enforcement members beating and intimidating people in townships and rural areas under the guise of enforcing lockdown laws.

In contrast, in the beachfront area of Cape Town a different scenario played out as the white and wealthy population protested lockdown rules; arrests were made but no police violence or killings were reported (Alexander, 2020). The University of the Witwatersrand in Johannesburg conducted a study to assess the presence of police in the townships and suburbs closest to them during the lockdown (Ewinyu & Mtshali, 2020). The study found that prior to coronavirus lockdown the suburbs had more police resources allocated to them and the manner of policing was mild; in comparison, in the townships law enforcement has increased substantially during the lockdown and become more violent (Ewinyu & Mtshali, 2020).

While these reports do not resemble the Xolobeni experience in particular, because Xolobeni does not have a race issue or a clear distinction between the poor and wealthier residents, they do however provide a broader context of the attitude and approach of police in South Africa to poor people, and how these attitudes would be different if the people concerned were rich or in suburban areas. This supports the argument that the response of arresting and charging ACC members in Xolobeni was motivated both by their stance against government plans and their socioeconomic position of being poor.

Loader and Mulcahy (2003), cited in Beare and Murray (2007), describe this phenomenon by discussing the social image of the police in England, and how this contrasts with the reality of their relationship to the people. They claim that the police are portrayed "as a bedrock, national institution ... an institution belonging to 'the people' rather than government, and accountable to them (mysteriously one is bound to say) through the majestic splendour of Law rather than

the dirty, meddling, dangerous business of politics" (Beare & Murray, 2007:4). This image is then contradicted by the violence of the police towards citizens that goes unchecked (Beare & Murray, 2007). Beare and Murray (2007) therefore claim that the police are given a certain autonomy in their operations and are not held accountable for any unlawful decisions or actions they take while on the job. This is an autonomy which needs be reformed.

South African history shows a trend of unchecked police violence towards black and poor protesters. During the Mpondo Revolt members of the Hill Committee invited the government to meetings to hear their objections to Bantu Authorities (Beinart, 2011), but these invitations were not honoured by government. However, at a meeting at Ngquza Hill on 6 June the police fired at a crowd of Mpondo people, killing 11 attendees (Badat, 2013; Bruchhausen & Naicker, 2018; Stapleton, 2001).

The continued violence from law enforcement against the marginalised populations shows that democracy in South Africa, much like in the apartheid years, is characterised by oppressing the poor to protect the interests of the rich. This is done by controlling the poor, deploying violent 'autonomous' security forces in poor communities when they express grievances through protest.

The response of the police forces during the Xolobeni movement teaches us that there are three factors involved in the relation between the police and protesters of marginalisation in South Africa:

- The first concerns what side of the protest a person is on. The police have been less motivated to solve cases where crimes are allegedly committed by groups that support government interests and initiatives, compared to their haste in cases involving those who challenge the government.
- The second is that they respond violently when a protest is in a rural or poor community, and less so when it is in an urban area.
- The third is regarding socioeconomic factors: the police use excessive force in poor communities when managing protests, compared to their attitudes in rich and suburban communities. This is further illustrated by the realities of responses during the coronavirus lockdown in townships and poor communities compared to in the rich and suburban communities.

3.2.4 Role of the courts in rural exclusion and protest

In contrast to the police, the courts system has shown a more progressive role in outcomes for social movements compared to its position during apartheid and colonialism. Unlike in the past, the courts have become a defence tool for marginalised communities such as Xolobeni. The South African court system allows for even the marginalised to make their voices heard.

For example, in 2018 the ACC launched a court battle against the DME to legally prevent mining by TEM and MRC (Matabesi, 2019; Beinart, Delius & Hay, 2017). The court case started on 23 April and gained support from other communities similarly affected by mining (Seipato, 2018). It ended in November, when the Constitutional Court ruled that the DME must attain full and informed consent from the Xolobeni community before granting mining rights to TEM (Matabesi, 2019). However, Minister Mantashe declared in 2019 that he intends to appeal, saying "the ruling ran the risk of transferring authority over licensing in the mining sector from the state to communities. He said the consequences were potentially chaotic" (Magubane, 2019). Similarly, in 2018 the Constitutional Court overturned an eviction order granted by the North West High Court to Itereleng Bakgatla Mineral Resources and Pilanesberg Platinum Mines, that allowed the removal of the Lesetlheng community from their farm, Wilgeheuwel (Mabuza, 2018).

Taking mining matters to court is not new in South African communities. Tendele Coal Mining in Somkhele, KwaZulu-Natal was already in operation when the community, along with the Global Environmental Trust and the Mfolozi Community Environmental Justice Organisation, brought an interdict before the court to halt mining processes by this company (Kockott, 2018). According to Kockott (2018) of the GroundUp organisation, they were particularly opposed to the fact that Tendele Coal Mining did not acquire the necessary environmental authorisation for the area, as per the National Environmental Management Act, and neither did they have the relevant land use and waste management licences to exhume or remove graves in the area. This case was, however, dismissed by the Pietermaritzburg High Court, whose judge Rishi Seegobin stated that the complainants had not allowed enough time for the relevant authorities to investigate the matter.

There is not give much context in the literature on any role played by the court in the Mpondo Revolt during the 1960s. We do find, however, that the Bantu Authorities system required that members of the community express their concerns to the chiefs and headmen (Claassens, 2019;

Beinart, 2011). It can also be concluded that laws of segregation and oppression were established with the involvement of South African courts (Khumalo, 2018). That said, the laws that abolished apartheid and the Bantu Authorities demonstrate that the court played a role in the justice process that would lead to land reform in the country.

The Xolobeni situation suggests that the role of the court has been to protect the constitutional rights of citizens of South Africa. As globalisation and neoliberalism have pressured the government into forming policies that integrate South Africa into the modern global community – at least economically – protecting the rights of the marginalised becomes uncertain. The authority and fairness of the courts is again brought into the foreground.

3.2.5 Political pressure through strategic participation

Taylor (2017:5) argues that protests result from a perceived crisis of democracy in the rise of neoliberalism, which he describes as "the prominence of a state form which places the providing of collective social goods under the economic bar of the (supposedly) free market". He says that as marginalised people begin to protest, they employ political pressure as a means of voicing their grievances. He discusses the election process in democratic countries, saying that disenfranchised groups tend to disengage from institutionalised political processes out of dissatisfaction.

However, in the Xolobeni case we see a different pattern than that suggested by Taylor (2017). The two sides of the protest; the pro-mining and anti-mining groups, made efforts to control the 2011 local government election (Clarke, 2014). Taylor (2017) writes that the anti-mining group, with the support of the ANC local branch committees, made sure that only those who had declared themselves against mining would be nominated as candidates. The ANC branch committee, as described by the ANC Branch Manual of 2010, has a duty to "debate new ANC policies and nominate leaders for the national and provincial executives" (ANC, 2010:2). It would therefore be within their political mandate to question the decisions of the ANC government in Xolobeni. The pro-mining candidates in turn ran as independent candidates in an attempt to gain control of the situation. As Clarke (2014) reports, this group was completely defeated in the local elections.

In contrast, Kimmie (2019) reports a situation similar to that described by Taylor (2017). The ANC's results in Xolobeni dropped to 66% in 2019 from 97% in 2014, which created conducive conditions for the Economic Freedom Fighters (EFF) party to make its mark in the community, with a rise in their local numbers from below 0.5% to just below 23% (Kimmie, 2019).

Taylor's (2017) views are based on accounts of the crisis of democracy in the developed world in the 21st century under the reality of neoliberalism. He focuses on the decline of the welfare state and the impact on the demands of democracy and capitalism. He argues that when a group is dissatisfied with decisions or actions of their government, or changes in their political systems, they are bound to protest (Taylor, 2017; see also Caldwell, 2019;).

Some might point out that the Xolobeni area is relatively small and probably does not pose a threat to the overall votes that the ANC is able to acquire from the rest of the country; however, they are able to influence the position of the ANC in the provincial elections, possibly rippling into the national numbers. According to Kimmie (2019) the ANC share of votes in the Eastern Cape province fell from 98% in 2009 to 78% in 2014 and we can argue that the media played a role in this effect. The 2019 elections occurred a year after the court ruling that prevented the ANC government from granting mining rights to MRC. The ruling was widely reported in the news media as a victory for the rural population. It is to be expected that voters who were not yet aware of the Xolobeni situation or the struggles of rural populations would have been influenced in a particular direction by the 2018 court ruling. This ruling, along with the divisions in the local ANC structures (as seen in the circumstances of the 2011 elections, discussed above), definitely contributed to making a dent in ANC support in the Eastern Cape region, as reported by Kimmie (2019). This shows the power of local struggles to impact change, even to established structures like the ANC government.

The movement has exposed the lack of transformation in the police force and in their relationship with citizens from the apartheid era to the democratic years. However, it has also shown the transformation of the courts in protecting the inclusion of those in former Bantustans, something that was arguably not a priority during apartheid.

The following section will discuss the role of the media in the Xolobeni movement. The contributions of the media can be argued to be both beneficial and detrimental to the social movement, but this requires a comprehensive discussion.

3.3 Role of the media in the Xolobeni movement

In a 2018 interview with SABC News, ACC leader Nonhle Mbuthuma stated that MRC has been trying to mine in Xolobeni since as early as 1996, and the community has always objected to this kind of development (South African Government News Agency, 2013). This statement is corroborated by Clarke (2014) who mentions that an MRC executive, Mark Caruso, was taken to the Xolobeni area by senior government officials in 1996. However, there were no media reports of this at the time. In fact, a 2008 SABC TV2 news special by Jonathan Rands of the 50/50 television programme is one of the first significant investigative pieces on the Xolobeni mine dunes (SABC TV2 50/50, 11 August 2008). The piece highlighted the violation of human rights in Xolobeni in connection with the mining development, such as the right to consultation and land use rights. It was recorded and aired a year after MRC submitted its 2007 application for the mining rights. 2008 was also the year that mining rights were granted to the company by former Minister of Water and Environmental Affairs, Buyelwa Sonjica. The community became more active in their protests after this decision, and more mainstream media became involved in the case, broadcasting events at meetings, and covering violent and non-violent protests such as those mentioned above. Media coverage was considerably concerted during the 2018 court case, as residents began protesting outside court in big cities like Pretoria. Evidently, protest and legal action were key to drawing media attention to Xolobeni.

The role of the media in telling the stories of marginalised communities cannot be overlooked, especially in the case of Xolobeni. Wouters (2015:1) says that "media attention allows for the diffusion and amplification of movement claims; it expands the scope of conflict". He says that the media has the capacity to widen the range of protesting masses, to reach more people and gain support for the movement in areas away from the epicentre of the protest. However, he also argues that the subjectivity of media journalists has as much potential to destroy a movement as they have to amplify it (see also Snow et al., 2019).

In his evaluation of the coverage of demonstrations in America, Wouters (2015:1) also describes how social movements are often given thematic coverage by the media, which he

describes as “placing events into context, paying attention to trends, and presenting general evidence”, as opposed to episodic coverage which “treats events as particular cases in the form of event-oriented reports” (Wouters, 2015:3). According to him the advantage of this for social movements is that they expose the “systematic factors of ongoing injustices and demand that government take action” (Wouters, 2015:3).

One might expect that rural populations do not have the same form of access to government, the country, and the world as those living in urban cities and towns, primarily because of their location and distance from notable government institutions such as Parliament and the Union Buildings. Therefore, telling the story of rural struggles through the media using tools such as films and documentaries could be helpful in creating national and international awareness of the experiences of this often-marginalised group.

Another case of media support for local struggle occurred in 2019, when the Land and Accountability Research Centre at the University of Cape Town commissioned a documentary on “the rural struggle for rights and accountability on communal land into urban forums of legislative, political and corporate decision-making” (Land and Accountability Research Centre, 2019).

This applies even to countries like the United States of America, where the struggles of rural children in Kentucky were made known through a documentary called ‘*The adversity of a child's life in rural Kentucky’* (Ajaka, 2016). This documentary shows not only the poverty experienced by children in rural areas, but also the stereotypes others hold against them because of their rural upbringing, which later complicates their lives as they grow up (Ajaka, 2016). Similarly, in Malawi a 2010 documentary was made about the life of rural women by focusing on the struggles of one woman and her eight children, going about their days on less then what is available to the more fortunate (New Partnership for Africa's Development, 2012).

With the understanding of thematic coverage of social movements and the goal of eliciting government response to social problems, as described by Wouters (2015), we cannot overlook the possible biases of media productions. This brings to light the challenge of accuracy in the presentation of community struggles in the media. For instance, in television and the print media I observe that very few people are shown and interviewed. This presents the struggle

through the viewpoint of a selected few who, although often chosen representatives of the masses, cannot adequately express the views of all within the movement.

Recently, in the Xolobeni case I found that four people were given a great deal of media attention, these being: Sikhosiphi 'Bazooka' Radebe, Nonhle Mbuthuma and Zamile Qunya, and the Minister of Mineral Resources Gwede Mantashe. In television and print media reports produced by news houses, the rare interviews with other Xolobeni community members which were broadcast showed that some were neither for or against the mining, but had conditions for the mining to continue and conditions for the eco-tourism to continue, while others did not believe that either of these would improve their lives (SABC News, 4 May 2019; eNCA, 27 September 2018). The latter opinion was expressed by Xolobeni community member Mabude Danca in a 2018 interview with eNCA. He expressed that eco-tourism was not bringing in sufficient financial support for the community, but he did not believe that mining would benefit them either, because a road was being built at that time and they had been promised employment there, but according to him no Xolobeni resident was working there (eNCA, 27 September 2018). Statements like these contradict the characterisation of the Xolobeni resistance as two extreme opposite sides as depicted in media. It is not realistic or accurate to present the views of a select few in a struggle, as this results in the omission of important opinions and views from the wider community.

The media can also be biased when describing characters involved in movements. In Xolobeni-related media Minister Mantashe is portrayed as a villain who is oppressing the community for his own personal gain (Sole, 2019; Shange, 2019; Clarke, 2014). Statements broadcast about him include some expressed by Nonhle, who questions the Minister's motivations in Xolobeni and what he stands to gain from mining (Shange, 2019). Not much is said on television and in the print media about the laws, such as the Minerals and Petroleum Resources Development Act (MPRDA), that give government the authority to grant mining rights without the consent of the community. Commentary that is found is mostly on how the DME is violating the rights of Xolobeni residents, which may be accurate according to the evidence, but may be subjectively presented in media. At times the media can also misrepresent the Xolobeni community, by promoting a narrative that contradicts their resistance.

For example, ACC activist Baliwe, interviewed by Reid and McKinley (2020:76), stated that the lack of access to media in the community restricts the ability of residents to ensure their accurate representation in the media:

> Sometimes [we see] on TV people that [are] not from here … talking lies. Like the ministers and everyone from the media say [that] the people from Xolobeni are poor and they do not want development. But if you come here … the thing that you saw in the paper or the story that you read is different now because you are sitting with us, which means that is the way to send the information.

In the same interviews (Reid & McKinley, 2020:76) another resident said:

> There is a newspaper [journalist who came to] a meeting last year at Komkhulu ... that journalist wrote the story [but] when they released the story it was not the same. We tried to call him and then he said the mistake is from the editors ... we trusted him and then the story. [Also] those people (some journalists) they didn't know [what was] going on here because even though we met them they just asking the question ... why you don't want mining because the mine is going to bring the job opportunities? [But] when you ask him or her do you know what kind of mine this is and then they said no; do you know how long it's going to operate there, no ... when you are trying to tell them ... they just [keep] saying hey we didn't realise what this is, which means the media are not telling them the right story.

Situations like these create the real possibility of marginalised people losing agency in the telling of their stories. In the instance where members of the media give inaccurate versions of Xolobeni issues, the community is not well represented and is not understood by those who should hear their grievances.

South African history does not pay much attention to the struggles of the rural population. This could also be because these populations were essentially excluded from South Africa by being corralled in Bantustans. However, the Mpondo Revolt was documented in newspapers like the *Rand Daily Mail* and by news broadcasters. The advantage of the previous era for rural people was that apartheid was globally observed as oppressive to black people, and therefore the national fight for freedom was globally known about and followed. Also, clashes like the Sharpeville Massacre brought a lot of attention to the violence and inequality against black people and their subjectivity in their environment.

The difference between the colonial newspapers and the documentaries that are produced now about communities like Xolobeni is in the power given to the voices of the oppressed and how

the different stakeholders are represented in each case. The Mpondo of the 1960 revolt lived in an oppressive time for blacks in which their lives were subject to white imagination, which often presented itself as superior. The Xolobeni case is occurring in a time of inclusive democracy, with increased access to the methods of protest, where more people sympathise with rural communities compared to the 1960s.

The media is counted as one of the important agents in framing protest and conflicts related to social movements alongside those involved on both sides of the movement and bystanders (Benford & Snow, 2000). Therefore, the accuracy of media reporting and framing of social movements and protests should be a priority. This is especially important since Potter (2012:276) points out that "the mass media do more than affect individuals; they also shape institutions", including politics, the economy, and the family structure. Benford and Snow (2000) also state that activists have no control over the stories or perspectives that the media chooses to cover, or how the words of activists are portrayed in the media, and all of the aforementioned groups and their different ideas have an impact in how social movements are perceived.

A more illustrative example of this is provided by Lee and Chan (2011), who suggest that protests with fewer numbers of participants are less likely to achieve their goals. They essentially blame this on the involvement of the media in social movements. The authors use the Hong Kong protest of 2003 against the controversial law of subservience, that citizens feared would create a totalitarian state by granting independent authority for the state to make laws to deal with treason, among others. It was reported as one of the biggest protests in Chinese history. The authors say that if the protest had been smaller in size it probably would not have succeeded, because of the way that it would have been framed in the media. They conclude by saying that the emphasis on the number of protesters takes away from the cause and minimises the long-term symbolic impact of the movement.

Similarly, Iqani and Resende (2019) discuss the role of the media in the developing world in framing narratives about conflict in the era of globalisation. They first refer to a claim by Paul Ricoeur that the mystery of communication is in making encounters happen. He claims that communication happens after one has considered the perspective and intrigue in a particular discourse, which causes information to be produced with gaps. The authors then conclude as follows:

> … communication is a phenomenon where the issue of alterity is constitutive and, therefore, a rather conflicting and somehow unpredictable gesture – a fact that makes us reflect about the gaps to which Ricoeur refers because they strongly emphasize the role played by media: to convey meanings, but more than that, to produce sensation and engage people. And for such a purpose, one understands, media is not only a technological issue but a question of how agency and intersubjectivities take place. Iqani and Resende (2019:5)

There is little discussion in the literature about the biases of media coverage based on the time at which the media starts covering certain issues. With regard to the Xolobeni case, the leader of the ACC Nonhle Mbuthuma has stated that the community has been fighting the mining rights application for many years (South African Government News Agency, 2013); however, there was not as much media coverage of this resistance in the early days. We can then argue that the heightened focus on this resistance in recent years is also a result of the contemporary land debates in South African politics. In this sense, Xolobeni fits a narrative that has significantly shaped the debate of black poor people being dispossessed of their land and not fighting back. This therefore makes the Xolobeni case a more interesting news story. This suggests that, with regard to social struggles and protests, the motives of the mainstream media are not only to provide information or support the causes of these communities, but also to create or feed a particular narrative of the time.

What can be appreciated about the information provided by the mainstream media, particularly in the Xolobeni case, is that it exposes how the conflict over power in South Africa is no longer limited to racial differences, but now also exists along class lines. The media portrays the impositions of a mostly black national leadership (such as ministers) on a poor population. I suggest that the media shows the modern nation state that is imagined by the state, and how this imagined nation excludes the poor – seeing them and their property as a means of achieving the goals of the nation state going forward.

Over time, the Xolobeni movement also gained support on social media platforms, showing the benefits of a globalised society where information can spread at faster rates that through the mainstream media (Cammaerts, 2015). The resistance of this small rural town became known about by influential international organisations and supporters, with the use of social media to create awareness of this cause. As Hwang and Kim (2015) put it, social media is an interactive platform for people to receive and circulate information and ideas. They also

describe how social media gives social movements a decentralised structure, because of the open platform and user-generated content. This could be beneficial to addressing the challenge of few voices representing the community and possibly imposing their own views on the ideologies or goals of the movement.

Perhaps the most relevant examples of this notion are the recent 2015 and 2016 Fallist protests in South Africa, that included Rhodes Must Fall and the Fees Must Fall movements (Booysen, 2016), both pioneered by university students. Social media posts and hashtag (#) slogans attracted a lot of attention and support to the student movements, even from the international community (Booysen, 2016).

Literature on the Xolobeni case does not make much mention of the impact of social media on the resistance. However, for the duration of the mainstream media coverage of the Xolobeni mining resistance the #Right2SayNo slogan has been trending on Twitter and other social media platforms. This is from a campaign that supports communities around the world that are threatened or affected by mining, by creating awareness about the violation of rights in the communities concerned (Seipato, 2018). Such was the case regarding Xolobeni, as with the support of #Right2SayNo, international environmental organisations like the Rosa-Luxemburg-Stiftung (global), Climate Reality Africa, and the Women's Earth and Climate Action Network International became aware of the threatened exploitation of rural land in the town. Other countries have benefitted from #Right2SayNo, including, Canada, the United States of America, Philippines, and Brazil, among others.

However, the social media is fairly new to the reporting of news on social challenges and is unregulated in the accuracy of the information it portrays (Dencik & Leistert, 2015). Therefore, it also warrants criticism of extremely subjective individuals who post their opinions and views, often with little knowledge. All that being said, social media does contribute to the efforts of creating a wider scope of awareness on local social issues and gaining support for social movements (Snow et al., 2019). The advantage that may perhaps be maintained by mainstream media is that, unlike social media, most television and media sources are regulated by bodies such as the Broadcasting Complaints Commission of South Africa, to ensure that they provide factual and credible information to their consumers.

Social media includes a different type of journalism from mainstream media, called citizen journalism (Barnes, 2012). While the mainstream media requires that coverage be factual and verifiable, citizen journalism through social media does not (Wall, 2012; Allan, 2017; Barnes, 2012). In fact, it allows people to present their own, often unfounded opinions on issues as factual news, by putting forward theories to explain particular occurrences (Barnes, 2012). Wall (2012) mentions some limitations of social media and citizen journalism, stating that many people in the developing world do not have access to the internet or computer literacy skills and therefore cannot access these platforms.

Breuer (2012) argues that social media allows the digital elite to create networks, while also magnifying the rate at which protests are reported and the support of those who might identify with a particular movement (see also Mortensen, Neumayer & Poell, 2019).

Appreciation of the role of social media can perhaps be seen in the difference between the global awareness of the Xolobeni resistance and the Mpondo Revolt. Because of the lack of social media and the colonial and apartheid control of the media, the Mpondo Revolt of 1960 was observably not able to create the same awareness and global support that Xolobeni has.

The flaw of social media in social movements is much like that of the mainstream media: it also has the potential to harm a movement by misrepresenting it and the goals of activists. It also takes agency to tell their own stories away from marginalised communities, since they cannot access these platforms to participate in discussions.

While globalisation can amplify mobilisation for political protest, the technological limitations of rural communities can result in social media being of no help to their cause. As one of the ACC supporters in Xolobeni said (Potter, 2012), the community does not have a lot of signal sources and therefore cannot access nor spread information through social media. This is then a further example of the exclusion of rural populations evidenced by the Xolobeni resistance.

As the modern South African nation state makes efforts to be part of the globalised world, those who were at the margins during apartheid and colonialism are pushed further into those margins by being restricted in their capacity to communicate grievances and to mobilise.

Chapter Four: Conclusion

The Xolobeni resistance illustrates the clash between citizens and the government that results from neoliberal activities of the government being disguised as development for poverty alleviation. It also challenges notions of citizenship and the nation state in South Africa. It exposes the lack of inclusion of former Bantustans into the democratic South Africa, as their rights to not consent to mining are challenged by the Minister of Mineral Resources and Energy, who is part of a governmental body elected to represent the interests of citizens. The residents of Xolobeni are still experiencing the otherness that was imposed on them during apartheid and colonialism, when their land was seen as property to serve the interests of the state and those who experience the benefits of being recognised citizens of the modern nation state.

In this study, I have demonstrated that the neoliberal paradigm of governance excludes rural communities from the modern South African nation state. This was done by studying the dominance of neoliberalism in South Africa where I explained the evolution of South Africa's economic policy from RDP to GEAR, changing the focus of the government from providing basic services to citizens to increasing foreign investment into the country. In this section I used the Xolobeni case to describe how this shift impacts the rights of South African citizens. Secondly, I discussed the significance of resistance in Xolobeni, particularly for defining citizenship in the modern South African nation state. In this section I outlined the formation of the ACC as a declaration of citizen rights to protest, the role of their court and the media in further protecting the rights of rural citizens of South Africa.

As described in the introductory chapter of this thesis, the Xolobeni community was not consulted before mining started in the area (Beinart, 2011; Badat, 2013). They were also forced into divisions by the rhetoric of individual interests perpetuated by Minister Mantashe and Xolco board members (Ledwaba, 2019). The community cause against mining also suffered as a result of corruption among local leaders. These incidences affect the political rights of residents to political agency, representation and land ownership. As neoliberalism promotes individual agency over collective, the Xolobeni case highlights its incompatibility with rural communities, where most ventures like the ecotourism project, are done in collective groups. This form of marginalisation is similar to much of the founding practices of colonialism and apartheid, when black people were subjected to dispossession without consultation or appropriate compensation.

The government also used the socioeconomic challenges of the community to compel them into submission for mining. The Minister consistently spoke about the creation of jobs as a result of mining, an effort which was rejected by the community as they were already involved in ecotourism projects. The Minister's attempts resemble those of the colonial and apartheid governments at the rise of industrialisation, when they forced a prosperous black population into cheap labour for the success of capitalist corporations. They are also in line with the neoliberal principle of prioritising profits as the only goal that this government and the citizens of the country should focus on.

This movement also calls attention to the biased nature of the security forces in South Africa, in reference to their violence when responding to protests by marginalised communities. It also shows how this violence has been consistent from the apartheid era to the contemporary democratic dispensation. While analysing the response of the police in Xolobeni and the broader violent response to the protests of the marginalised, and marginalised communities nationally, we see two main patterns. The first is that the police response is determined by the position of the protesters; when they are on the side of the government, the response is lighter than when they challenge the government. Secondly, police attitudes are determined by a person's socioeconomic status; the poor receive a more aggressive response than the rich.

We see a contrast between the evolution of the police force and that of the courts from the time of transition from apartheid to democracy. The same courts that were used to serve government interests by establishing laws that systematically oppressed black people have now taken on the role of protecting the rights and citizenship of marginalised people by empowering their voices.

Lastly, the role of the media in protests and social movements, both mainstream and social media, has also come under the spotlight during this resistance. It calls for an investigation into whether the media is of benefit or detriment to the causes of the marginalised. The writers mentioned earlier have also pointed out that the media assists in the mobilisation of such movements by spreading awareness of issues and sparking discussion and support for activists. However, the media can also impose their own biases on the stories they tell, by selecting stories and meanings that best suit the narrative they want to perpetuate. At times this can contrast with the statements of the activists, thus harming the movement.

Also, Xolobeni residents do not have much access to the media, due to the lack of technological development in the area and are unable to use this modern tool of communication to shape their stories or further their cause. These realities further frame the marginality of rural communities like Xolobeni, because they have a lack of access to information and find their agency to tell their stories restricted by their inability to access media platforms.

Indeed, this case illustrates clear patterns of imperialist behaviour imposed by the democratic government and MRC on the residents of Xolobeni. The ideology of neoliberalism adopted by the democratic government shares some of the principles of colonialism and imperialism, of invasion, dispossession, transfer of assets and resources, and the imposition of ideals of a particular type of development that caters only for a select fragment of the population.

The findings and conclusions of this thesis implore future research into the neoliberal development model of South Africa and how it continues to exclude the rural population by violating their rights. It might also be found that this research, and more that it inspires, may contribute to the formation of more appropriate models of development within the South African context.

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